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research@ccm-ct.org • 900 Chapel Street, 9th Floor, New Haven, CT 06510-2807 • TEL 203/498-3000 • FAX 203/562-6314

July 27, 2004

To Whom It May Concern:

This is in response to your request for statutes and local ordinances on All-Terrain Vehicles (ATV's).

Enclosed please find the following materials:

General Information

- "All Terrain Vehicle Policy and Procedures," CT Department of Environmental Protection, November 2002.
- "Use of All-Terrain Vehicles on State Land," The Office of Legislative Research, by Paul Frisman, Associate Analyst, February 11, 2004.
- "Annual Report of ATV Deaths and Injuries," United States Consumer Product Safety Commission (USPSC), October 24, 2003.
- "All-Terrain Vehicle Safety," U.S. Consumer Product Safety Commission, Washington, DC.

State Law

- Connecticut General Statutes (C.G.S) §§ 14-379 to 14-390f, "Snowmobiles and All-Terrain Vehicles."
- C.G.S §§ 23-26a to 23-26g, which define and regulate the use of ATVs on state land.

Municipal Ordinances

- **Berlin Code:** §38-74, "Motor Vehicles and Bicycles."
- **Bloomfield Code:** §13-39, "Snowmobiles and other motorized recreation vehicles."
- **Bristol Code:** §21-179, "Motor Vehicles Restricted."
- **Danbury Code:** §12-6, "All-terrain vehicles; operation prohibited on city property."
- **Manchester Code:** §12-4, "Operating motor vehicles on town property."
- **Meriden Code:** §150-1, "Rules for Use of Facilities." Please note #6.
- **Newington Code:** Article III, "Recreational Motor Vehicles."
- **Stratford Code:** §§ 48-1 to 48-2, "All Terrain Vehicles."

We hope that this information is helpful and informative.

**STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**DRAFT - ALL TERRAIN VEHICLE
POLICY AND PROCEDURES**

June, 2002

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1. ALL-TERRAIN VEHICLE STATE LAND POLICY

This policy proposes a procedure to identify organizations knowledgeable and responsible for ATV interests and invites them to submit proposals for ATV access that would be compatible with natural resource protection and use of a site by others. The Department of Environmental Protection's role in this relationship is to provide a clear understanding of the parameters for such a proposal, to conduct a thorough and accurate review and, to render an objective decision on the possible use of state land. If approved, the sponsoring organization would engage in a concession agreement for the development, operation and maintenance of the area. The facility management responsibility is modeled after several other programs within the Department including the off-road motorcycle trail, the Blue Blazed hiking trails and the hunter safety education and boating safety education programs. In this era of tight budgets for conservation programs, establishing partnerships with constituency groups and volunteers has become an effective means of providing increased public services.

Statutory provisions for safety education courses, operator certification and insurance are in place. The Department will adopt regulations with respect to these aspects of the ATV program concurrently with the implementation of an ATV facility.

The DEP recognizes that off-road vehicle use on public lands is a complex issue that is not unique to Connecticut. The use of public lands, particularly DEP managed properties, for off-road vehicles presents significant and sometimes conflicting responsibilities for accommodating the varied philosophies and demands of divergent user groups.

Each visitor has a stake in how the Department carries out its mission of preserving and protecting natural and historic resources while addressing the interests of hikers, campers, bird watchers, hunters, fishers, bicyclists and other users such as off-road vehicle riders.

In recent years, the dramatic increase in all-terrain vehicle (ATV) sales has generated a significant demand for riding areas. The level of illegal use on DEP lands and impacts on natural resources and other recreational users have made it necessary to formalize a position on ATV use. In the process of formulating the document, Department staff have completed an evaluation of ATV policies in other northeastern states, particularly Massachusetts and New Jersey. The approach to proposing properties for ATV use is predicated on ATV users having the best understanding of rider demand and the site conditions to accommodate their needs.

The purpose of this document is to articulate a policy regarding ATV use on state managed properties. It is not intended to address the use of snowmobiles, motorcycles or other types of motorized off-road vehicles. (See Appendix A, Existing Off-Road Vehicle Uses.)

2. DEFINITIONS AND STATUTORY OPERATING PARAMETERS

ALL-TERRAIN VEHICLE DEFINITION - (C.G.S. ch. 255, §14-379; ch. 255, §14-390f; ch. 447, §23-26a)

An ATV is defined as a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the Commissioner of Motor Vehicles to be unsuitable for operation on the public highways. State law references an ATV as any two or more wheeled motorized vehicle, generally characterized by a seat designed to be straddled by the operator, less than fifty inches in width, a weight of not more than six hundred pounds and an engine with a displacement of more than fifty cubic centimeters, which is intended for off-road use. Such vehicles do not include golf carts, agricultural tractors, farm implements and construction machines.

REGISTRATION – (C.G.S. ch. 255, §14-380)

The operation of an ATV requires a valid registration issued by the Connecticut Department of Motor Vehicles (DMV) or other state in reciprocal agreement with Connecticut. The only exception is the operation of an ATV on premises owned or leased by the owner of the ATV.

OPERATING RESTRICTIONS – (C.G.S. ch. 255, §14-387; ch. 447, §23-26b; ch. 447, § 23-26e)

ATV's may not be operated:

- A. on any public highway, except to cross a public highway at a ninety degree angle to the direction of the highway and only by a licensed motor vehicle operator. It should be recognized that all roads on DEP managed lands open to motor vehicle traffic are classified as public highways.
- B. with an exhaust system that emits excessive noise.
- C. without proper operating brakes and lights.
- D. in any manner which would harass game or domestic animals.
- E. on any fenced agricultural land or posted land without the written permission of the owner.

F. on any railroad right-of-way.

G. on state land without first obtaining a certificate from the Commissioner of Environmental Protection and unless the vehicle is registered with the DMV. A certificate shall not be issued to any person under eighteen years of age unless that person has completed a safety education course.

H. on state land if that person is less than twelve years of age. A person between twelve and sixteen years of age may operate an ATV on state land provided the individual has obtained a certificate and is supervised by a person eighteen years of age or older who has completed a safety education course.

An ATV may be operated on the frozen surface of any public body of water as referenced in C.G.S. ch. 255, §14-387.

3. PROCEDURES FOR SUBMITTING AN ATV PROPOSAL

- A. The organization is advised to become familiar with all aspects of this policy and procedures document and to submit a proposal consistent with the requirements therein.
- B. The organization proposing the use of DEP lands for ATV use must be capable of demonstrating that it has the resources and capacity to completely develop, operate and maintain an off-road vehicle facility.
- C. The organization must be registered as a Connecticut corporation with the Secretary of the State. In the case of a non-profit organization, it must be a tax-exempt organization recognized by the Federal Internal Revenue Service.
- D. Any organization proposing to develop, operate and maintain an ATV facility must provide for use of the facility by the general public.
- E. The organization is advised that it has the sole responsibility to provide financial support for the proposed project in terms of development, operations and maintenance. Although there are no state funds specifically earmarked for ATV projects, the organization is encouraged to pursue funding through state administered programs such as the National Recreational Trails initiative.
- F. An ATV proposal must be submitted in a two step process. The initial or feasibility phase should include basic information describing the proposal but in sufficient detail for DEP staff to conduct a preliminary evaluation. Descriptions referenced in section 4 of this document are particularly important at this phase. Although the sponsoring organization may ultimately be required to comply with all elements of this document in the final phase submittal, the following sections are not necessary for the initial phase.

3B - Financial resources

5C - Administration/staffing/volunteers

5F - Environmental assessment

3C - Organizational status

5D - Training

5H - License administration and compliance.

The organization should compile the initial ATV proposal as described in section 5 and submit it to the State Parks Division as indicated.

- G. The sponsoring organization shall send copies of the ATV proposal, simultaneously with the submittal to DEP, to the chief elected officials of the

municipalities where the proposed facility would be located and to state legislators whose districts encompass the proposed facility location.

- H. The Department, after reviewing the initial proposal, will notify the sponsoring organization in writing that the proposal either 1. appears feasible and to proceed to I below or 2. is denied with an explanation why the proposal is not feasible. The Department will also notify the respective municipal officials and state legislators of its decision at the initial phase.
- I. If the proposal appears feasible the organization will be required to submit a final phase proposal which must address all aspects of the policy and procedures document including sections referenced in 3F above. The proposal should be in an electronic format.
- J. The Department will schedule, provide notice for, and conduct a public meeting within a municipality where the proposed facility would be located. The sponsoring organization will be responsible for presenting the proposal and addressing questions related directly to the proposal. The Department will invite public comment after the presentation and record this information for consideration in its final decision.
- K. The Department of Environmental Protection will evaluate all information relevant to the proposal including testimony provided at the public meeting and render a decision on the proposal. The proposal may be approved, approved with amendments or rejected. Grounds for rejection may include but are not limited to excessive displacement of existing uses, unreasonable risk to public health, environmental degradation, adverse impacts on land uses or the imposition of financial burdens on state or local governments.
- L. If the proposal is approved, the organization will enter into a concession agreement with Department of Environmental Protection for the development, operation and maintenance of an ATV facility. The DEP may require a performance bond as part of the concession agreement.
- M. The organization shall be responsible for obtaining all approvals and permits associated with the ATV proposal.
- N. The Department of Environmental Protection will provide monitoring and oversight of the conditions and responsibilities prescribed in the concession agreement.

4. CRITERIA FOR AN ATV FACILITY

The Department of Environmental Protection will take into account the following characteristics and considerations when considering proposals to establish an ATV riding area.

- A. The property must accommodate adequate trail mileage to satisfy public riding interests. Trail loops are desirable and should be of varying difficulty.
- B. Areas to consider for off-road vehicle facilities may include:
 - Quarries
 - Former military properties
 - Degraded lands
 - Abandoned sand and gravel pits
 - Other lands as appropriate which are suitable for this activity

Although this document focuses on the potential of ATV use of DEP managed lands, sponsoring entities are encouraged to consider and review the inventory of state owned lands outside of DEP jurisdiction which may be conducive to this type of activity.

- C. The property must have suitable areas for parking to accommodate vehicles including those with trailers. This means the parking areas should be of adequate size, particularly if organized events will be held, and have a nearly flat surface with soil conditions conducive to heavy vehicle use.
- D. The property should be located in a predominantly undeveloped area to avoid conflicts with adjacent property owners, and preferably not near residential neighborhoods. Conflicts might include noise, trespassing, or incompatibility with neighbors. If the property is in an area with some development, there should be assurances that neighbors are aware of the applicant's intentions and do not have reasonable objections to the property being used in this manner.
- E. The property must be located in an area that is not environmentally or historically sensitive. The following factors should be considered:
 - 1. Wetlands
 - 2. Known endangered and threatened species habitat

3. Soils or landscape features prone to high erosion
4. Poor drainage
5. Degree of vegetation required to be removed for trails and facilities
6. Existence of historic resources, features and/or artifacts.

If there are portions of areas proposed for use that are environmentally sensitive, those portions of the property where there is concern must be avoided. If the applicant is unable to avoid a sensitive area, the necessary mitigation for affecting these areas must be obtained. This might include planting vegetation or re-routing trails.

- F. The trails shall not be located in an area with inherent safety hazards such as those containing steep cliffs, toxic materials or infrastructure that would pose a risk to the participants or public.
- G. The trails should avoid areas of existing and projected public uses including recreational, scientific research and educational which would be adversely affected or displaced by ATV use.
- H. Proposed trails must not enter the streambed of any perennial or intermittent stream and shall be located at least 100 feet from the stream channel at all times except for portions of the trail accommodated by a bridge crossing or culvert.

5. ATV PROPOSAL OUTLINE

The following represents the outline of an ATV proposal for submission to the Department of Environmental Protection for review and consideration. The document must be submitted to:

State of Connecticut
Department of Environmental Protection
Bureau of Outdoor Recreation
State Parks Division
79 Elm Street
Hartford, CT 06106

- A. Introduction
 - General background information on proposal and sponsoring entity.
- B. General Description of the Proposed ATV Area
 - Overview and description of the site, acreage, significant features, and boundaries.
 - Current public uses.
 - Site plan showing all existing physical elements of the site and any changes in the land to accommodate the activity.
 - Surrounding land uses.
- C. Administration/Staffing/Volunteers
 - Specific information on individuals responsible for the area including license compliance, maintenance, programming, security, emergency services and evidence of proper training for courteous and safe use of the area.
 - Job descriptions for individuals assigned to specific responsibilities.
 - Rules and Regulations for volunteers and staff – for example: behavior, appearance, proper use of concession area and equipment, and accident reporting.
- D. Training
 - Specific requirements for training staff and volunteers; for example, customer service and emergency procedures.

- Verification that all users, including staff or volunteers, have the proper training and certification for safe and courteous use of the facility.

E. Operational Guidelines

- Schedule of days and hours
- Maintenance inspection and security
- Special events
- Communication
- Staffing levels
- Enforcement of rules and regulations
- Access to the area by individuals and groups
- Fees and charges
- Emergency procedures
- Concessions and/or other service
- User capacity limits for site
- Sanitary facilities
- Management of access, vehicle circulation, parking and loading and unloading areas.

F. Environmental Assessment of the Property (Refer to Appendix D for Environmental Assessment Outline)

- Inventory of natural resources including soils, geology, vegetation, hydrology and animal species.
- Inventory of archaeological and historical components.
- Assessment of impacts on natural, historical and archaeological components of the property from the development, operation and maintenance of an ATV facility.
- Assessment of impacts on existing uses.

G. Social Impacts

- Increased vehicle traffic
- Affects on adjoining lands and neighbors
- Additional cost to local emergency services

H. License Administration and Compliance

- Assignment of specific responsibilities for reporting and other requirements of the concession agreement.

6. STANDARD CONCESSION AGREEMENT DESCRIPTION

The designation and use of lands under the jurisdiction of the Connecticut Department of Environmental Protection for use by all-terrain vehicles will require the execution of a concession agreement. The concession agreement will be a binding contract between the Department and the sponsoring organization for the development, operations and maintenance of the facility. ATV use on DEP lands shall only be permitted in authorized areas and subject to the operating parameters of this agreement. An organization under concession agreement for an ATV area shall be responsible for the development, operation and maintenance of the area.

The following represents an outline of the important standard elements of a concession agreement for the management of an ATV area:

A. Term

To be negotiated based on the organization and the specific area covered by the concession agreement. Initial expectation is a five year term.

B. Purpose

This section specifically identifies the use and occupancy of the concession agreement premises for a specific purpose – in this case for ATV use.

C. Condition of Concession Agreement Premises

Reflects the present condition and any changes approved by the concession agreement.

D. Management and Operation Plan

A detailed comprehensive plan for the development, operation and maintenance of the premises including facilities to be provided (parking areas, trail development and associated facilities) and measures to contain and regulate all permitted activities on the concession agreement property.

E. Annual Plan and Budget

A specific document that presents those elements of the management and operation plan for the next year. Examples of information to be provided in the annual plan and budget include description of hours and days of operation, events and activities to be held, projects and improvements, costs, and demonstration that the organization continues to have the required resources to fulfill the management responsibilities.

F. Maintenance and Utilities

Addresses the responsibility for maintenance of the premises covered by the concession agreement including the cost of utilities and project approval requirements and restrictions.

G. Operation and Supervision

Articulates that the organization authorized to use the area is completely responsible for its operation, maintenance, supervision and appropriate safety and emergency training.

H. Security and Enforcement

Reflects that the organization has primary responsibility for the security and enforcement of rules and regulations of the area of the concession agreement.

I. Renovation and Improvements

Provides for the Department approval of all improvements and renovations on the premises covered by the concession agreement.

J. Construction Responsibility of Licensee

Describes the approval process for any construction projects on the area covered by the concession agreement including permits and code requirements.

K. Compliance with laws, licenses, and permits

Identifies local, regional and state level requirements.

L. Fees

Describes all fees which must also be approved in advance by DEP.

M. Reports, Records, and Audit

Outlines specific requirements of the organization to submit reports and other information to DEP.

N. Damage to property

Describes that damage to the premises covered by the concession agreement or adjacent non-related lands is the responsibility of the organization and may result in further actions or lease termination if damages are not remediated.

O. Indemnification

Provides for indemnification of the State of Connecticut by the concessionaire for all activities on the premises covered by the concession agreement.

P. Insurance

The “boiler plate” provisions of the concession agreement regarding liability and property damage coverages which will be subject to review by the Office of the Attorney General.

Q. Termination

Reflects conditions under which the concession agreement can be terminated.

APPENDIX A

Existing Off-Road Vehicle Uses

The Department of Environmental Protection accommodates three types of Motorized off-road uses within state forests. (There are currently no authorized ATV riding areas within DEP managed lands.)

- A. **SNOWMOBILES** – There are eleven areas providing snowmobile trails on unplowed state forest roads during the winter months. The activity is permitted only with a minimum snow cover. Concerns regarding natural resource impacts and user conflicts have been minimal because of the insulation value of snow cover and relatively low use levels by other recreational visitors at this time of year.

- B. **PACHAUG STATE FOREST MOTORCYCLE TRAIL** – A 60 mile trail system is available for off-road motorcycles using a combination of forest roads and trails. Motorcycles must be street-legal and registered with the DMV and riders must have a DMV operators license.

- C. **ENDUROS** – The DEP accommodates enduros on selected state forests. These competitive events are typically one day in duration, sponsored by a regional motorcycle club, subject to review and approval by DEP staff and, utilize state forest land, public roads and private property to provide adequate mileage for participants. Motorcycles must be street-legal registered and operators must be licensed.

APPENDIX B

Connecticut General Statutes - ATV Registration and Operating Provisions

Sec. 14-379. Definitions. As used in sections 14-379 to 14-390, inclusive, subsections (3) and (4) of section 12-430 and sections 12-431, 14-33, 14-163 and 53-205, unless the context otherwise requires: "Commissioner" means the Commissioner of Motor Vehicles; "snowmobile" means any self-propelled vehicle designed for travel on snow or ice, except vehicles propelled by sail; "snowmobile dealer" means a person engaged in the business of manufacturing and selling new snowmobiles or selling new or used snowmobiles, or both, having an established place of business for the sale, trade and display of such snowmobiles. "All-terrain vehicle" means a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the Commissioner of Motor Vehicles to be unsuitable for operation on the public highways which is not eligible for registration under chapter 246; "all-terrain vehicle dealer" means any person engaged in the business of manufacturing and selling new all-terrain vehicles, or both, having an established place of business for the manufacture, sale, trade and display of such all-terrain vehicles; "operate" means to control the course of or otherwise use a snowmobile or all-terrain vehicle.

(1969, P.A. 752, S. 1; 1971, P.A. 848, S. 3.)

History: 1971 act redefined "operate" to include all-terrain vehicles and defined "all-terrain vehicle" and "all-terrain vehicle dealer".

All-terrain vehicle qualifies for uninsured motorist coverage under the policy definition. 45 CS 144.

Sec. 14-380. Operation prohibited without valid registration. Exceptions. On or after October 1, 1971, no person shall operate and no owner shall permit the operation of any snowmobile or all-terrain vehicle unless the owner holds a valid, effective registration awarded by this state or by another state or by the United States, provided such state or district of registration grants substantially similar privileges for snowmobiles or all-terrain vehicles owned by residents of this state and registered under its laws, and unless the identification number set forth in such registration is displayed on such snowmobile or all-terrain vehicle as prescribed in section 14-381, provided every resident of this state shall obtain such registration from this state under the provisions of section 14-381, before such operation shall be lawful. The provisions of this section shall not apply (1) to the operation of a snowmobile or all-terrain vehicle on premises owned or leased by the owner of such snowmobile or all-terrain vehicle or (2) to the operation of a snowmobile in any organized contest as long as such snowmobile is operated in the contest area, provided the owner of such snowmobile holds a valid, effective registration awarded by this state or by another state or the United States.

(1969, P.A. 752, S. 2; 1971, P.A. 848, S. 4; 857, S. 1; P.A. 76-202, S. 1, 2; P.A. 80-102.)

History: 1971 acts changed date when registration required from October 1, 1969, to October 1, 1971, included all-terrain vehicles in provisions and specified how registration number to be displayed; P.A. 76-202 exempted snowmobiles operated in organized contests from provisions under certain conditions; P.A. 80-102 replaced display specifications with requirement that number be displayed "as prescribed in section 14-381".

Sec. 14-381. Requirements for registration. Application. Registration plates. Any owner required to register a snowmobile or all-terrain vehicle shall apply to the commissioner and shall file evidence of ownership by affidavit or document. Upon receipt of an application in proper form and the registration fee, the commissioner shall assign an identification number and provide the owner with a certificate of registration and registration plate. The registration plate, which shall be affixed by the owner, shall be displayed on the snowmobile or all-terrain vehicle at a place and in a manner prescribed by the commissioner. In addition to such registration plate, each snowmobile and all-terrain vehicle so registered shall display its registration number on each side of its front section, midway between the top and bottom of said front section, in letters or numbers at least three inches in height and made of a reflective material. The certificate of registration shall be carried on such snowmobile or all-terrain vehicle and shall be available for inspection whenever such snowmobile or all-terrain vehicle is being operated. The owner shall pay a fee of twelve dollars, and on and after July 1, 1992, fourteen dollars for each snowmobile or all-terrain vehicle so registered. Each such certificate of registration shall expire biennially on the last day of March.

(1969, P.A. 752, S. 3; 1971, P.A. 848, S. 5; 857, S. 2; P.A. 73-153; P.A. 75-213, S. 13, 53; P.A. 84-254, S. 54, 62; P.A. 85-525, S. 5, 6; P.A. 87-329, S. 19; P.A. 90-230, S. 83, 101.)

History: 1971 acts made provisions applicable to all-terrain vehicles and added specifications for display of registration number; P.A. 73-153 reduced height required for letters in display provision from five to three inches; P.A. 75-213 increased registration fee from three to four dollars; P.A. 84-254 periodically increased the fee from \$4 to \$8 as of July 1, 1992; P.A. 85-525 required biennial, rather than annual, registration of snowmobiles and all-terrain vehicles and doubled fee schedule accordingly; P.A. 87-329 maintained the fee at the level existing on and after July 1, 1986, and decreased the fee effective July 1, 1992, to the level formerly existing on and after July 1, 1988; P.A. 90-230 substituted "required to register" for "desiring to register".

Sec. 14-382. Change of address. Transfer of ownership. (a) Within forty-eight hours after changing his address, the owner of a snowmobile or all-terrain vehicle registered by this state shall file with the commissioner notice in writing of such change. The owner's certificate of registration may be altered or the commissioner may issue a new certificate to indicate the new address.

(b) The owner of a snowmobile or all-terrain vehicle registered by this state shall notify the commissioner in writing within twenty-four hours of the transfer of all or any part of his interest in, other than the creation of a security interest, or of the destruction or abandonment of, such snowmobile or all-terrain vehicle and surrender with such notice his certificate of registration and registration plate. Any such transfer, destruction or abandonment shall terminate such certificate.

(c) Any person who transfers to another ownership of a snowmobile or all-terrain vehicle registered in this state, upon surrendering the outstanding certificate of registration and registration plate and upon application to the commissioner, may have another snowmobile or all-terrain vehicle registered in his name for the remainder of the registration period. The fee for such transfer which shall accompany the application shall be three dollars, and on and after July 1, 1992, three dollars and fifty cents.

(1969, P.A. 752, S. 4; 1971, P.A. 848, S. 6; P.A. 84-254, S. 55, 62; P.A. 87-329, S. 20.)

History: 1971 act made provisions applicable to owners of all-terrain vehicles; P.A. 84-254 amended Subsec. (b) to clarify that applications are made to the commissioner and to periodically increase the transfer fee from \$2 to \$4 as of July 1, 1992; P.A. 87-329 maintained the fee at the level existing on and after July 1, 1986, and decreased the fee effective July 1, 1992, to the level formerly existing on and after July 1, 1988.

Sec. 14-383. Registration of snowmobile or all-terrain vehicle dealers. Each snowmobile dealer or all-terrain vehicle dealer, as defined by section 14-379, shall register with the commissioner who shall assign a distinguishing number and issue three registration plates bearing the number assigned to such dealer. The fee for such registration shall be fifteen dollars, and on and after July 1, 1992, eighteen dollars. A registration plate shall be attached to each snowmobile or all-terrain vehicle, which may be used only for the purposes of demonstration or sale.

(1969, P.A. 752, S. 5; 1971, P.A. 848, S. 7; P.A. 84-254, S. 56, 62; P.A. 87-329, S. 21.)

History: 1971 act made provisions applicable to all-terrain vehicles and vehicle dealers; P.A. 84-254 periodically increased the fee from \$10 to \$20 as of July 1, 1992; P.A. 87-329 maintained the fee at the level existing on and after July 1, 1986, and decreased the fee effective July 1, 1992, to the level formerly existing on and after July 1, 1988.

Sec. 14-384. Temporary registration plates. The commissioner shall provide registered snowmobile dealers and registered all-terrain vehicle dealers with temporary registration plates for a fee of one dollar each. When a snowmobile or all-terrain vehicle is sold at retail the snowmobile dealer or all-terrain vehicle dealer may attach a temporary registration plate to such snowmobile or all-terrain vehicle bearing the date of sale, which shall be valid for ten days from such date, and displayed on such snowmobile or all-terrain vehicle as prescribed by the commissioner.

(1969, P.A. 752, S. 6; 1971, P.A. 848, S. 8.)

History: 1971 act made provisions applicable to all-terrain vehicles and vehicle dealers.

Sec. 14-385. Renting or leasing of snowmobiles or all-terrain vehicles. Records required. Any person who is in the business, in whole or in part, of renting or leasing snowmobiles or all-terrain vehicles shall keep a record of the name and address of every person who rents or leases a snowmobile or all-terrain vehicle, the identification number thereof, the departure date and time and the expected time of return. The record shall be preserved for at least one year. Neither the owner nor any agent or employee of such business shall permit any snowmobile or all-terrain vehicle to depart from the premises of such business unless it is provided, either by the owner or lessee, with such safety devices and equipment as may be required by law.

(1969, P.A. 752, S. 7; 1971, P.A. 848, S. 9.)

History: 1971 act made provisions applicable to all-terrain vehicles.

Sec. 14-386. Enforcement. Failure to stop snowmobile or all-terrain vehicle upon request. (a) Any law enforcement officer of the Department of Environmental Protection, motor vehicle inspector, state police officer, uniformed municipal police officer, constable, state park policeman, state forest policeman or forest ranger may enforce the provisions of sections 14-379 to 14-390, inclusive.

(b) No person operating a snowmobile or all-terrain vehicle shall refuse to stop his snowmobile or all-terrain vehicle after being requested or signalled to do so by an authorized law enforcement officer, or the owner or the agent of the owner of the property upon which such snowmobile or all-terrain vehicle is being operated. Any person operating a snowmobile or all-terrain vehicle who refuses to stop his

snowmobile or all-terrain vehicle upon such request or such signal by an authorized law enforcement officer shall have committed an infraction.

(1969, P.A. 752, S. 8; 1971, P.A. 848, S. 10; 857, S. 3; P.A. 76-381, S. 15.)

History: 1971 acts gave constables, state park policemen and state forest policemen or forest rangers enforcement powers under Subsec. (a) and amended Subsec. (b) to include all-terrain vehicles in provisions and to require operator of vehicle to stop upon signal of property owner or his agent; P.A. 76-381 replaced provision for fifty dollar maximum fine with statement that failure to stop is an infraction.

See chapter 881b re infractions of the law.

Sec. 14-386a. Speed. Operating under the influence. Endangering person or property. No person shall operate a snowmobile or all-terrain vehicle in the following manner: (1) At an unreasonable or imprudent rate of speed for existing conditions; (2) in a negligent manner so as to endanger any person or property; (3) while under the influence of intoxicating liquor or any drug, as defined by section 14-227a. Any person who violates any provision of this section, or any regulation relating hereto shall be fined not more than two hundred and fifty dollars for each offense. In addition thereto, the operator or owner, or both, of a snowmobile or all-terrain vehicle, shall be responsible and held accountable to the owner of any land where trees, shrubs, crops, fences or other property have been damaged as a result of travel of such snowmobiles or all-terrain vehicles over such land, or where consequential damage has resulted from such travel. Proof of the registration number of the snowmobile or all-terrain vehicle shall be prima facie evidence in any prosecution or action for damages that the owner was the operator. (P.A. 76-381, S. 17.)

Sec. 14-387. Rules of operation. Violations. No person shall operate a snowmobile or all-terrain vehicle in the following manner: (1) On any public highway, except such snowmobile or all-terrain vehicle, if operated by a licensed motor vehicle operator, may cross a public highway if the crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a location where no obstruction prevents a quick and safe crossing, the snowmobile or all-terrain vehicle is completely stopped before entering the traveled portion of the highway and the driver yields the right-of-way to motor vehicles using the highway, provided nothing in this subsection shall be construed to permit the operation of a snowmobile or all-terrain vehicle on a limited access highway, as defined in subsection (a) of section 13a-1; (2) in such a manner that the exhaust of the snowmobile or all-terrain vehicle makes an excessive or unusual noise; (3) without a functioning muffler, subject to the provisions of section 14-80, properly operating brakes, sufficient and adequate front and rear lighting and reflecting devices, except an all-terrain vehicle with an engine size of ninety cubic centimeters or less shall not be required to be equipped with front and rear lighting and shall not be operated after dark; (4) in any manner which would cause harassment of any game or domestic animal; (5) on any fenced agricultural land or posted land without the written permission of the owner, or the agent of the owner, or in the case of state-owned land, without the written permission of the state agency or institution under whose control such land is, or in the case of land under the jurisdiction of a local municipality without the written permission of such municipality; and (6) on any railroad right-of-way. Nothing in sections 14-379 to 14-390, inclusive, shall preclude the operation of a snowmobile or all-terrain vehicle (A) on the frozen surface of any public body of water, provided any municipality may by ordinance regulate the hours of operation of snowmobiles and all-terrain vehicles on public waters

within such municipality and provided the operation of a snowmobile or all-terrain vehicle shall be subject to the provisions of section 25- 43c; or (B) on any abandoned or disused railroad right-of-way or in any place or upon any land specifically designated for the operation of snowmobiles and all-terrain vehicles by statute, regulation or local ordinance. Any person who violates any provision of this section shall have committed a separate infraction for each such violation.

(1969, P.A. 752, S. 9; 1971, P.A. 848, S. 11; 857, S. 4; 1972, P.A. 294, S. 15; P.A. 76-381, S. 16; P.A. 84-429, S. 69; P.A. 86-249, S. 8; P.A. 93-405, S. 2.)

History: 1971 acts made provisions applicable to all-terrain vehicles, included domestic animals in Subdiv. (7), added Subdivs. (8) and (9) re operation on agricultural or posted land or on railroad rights-of-way, specifically stated right to operate vehicle on abandoned rights-of-way or on land specifically designated for the purpose and allowed regulation of hours of operation on public waters by ordinance; 1972 act included all-terrain vehicles in provision re operation on public waters; P.A. 76-381 deleted Subdivs. (2) to (4) banning operation at unreasonable rate of speed, in negligent manner or under influence of intoxicating liquor or drugs, renumbering remaining Subdivs. accordingly, replaced numeric designators in exemption with alphabetic ones and added provision that violator deemed to have committed an infraction; P.A. 84- 429 made technical change for statutory consistency; P.A. 86-249 amended Subdiv. (A) of Subsec. (6) by adding provision making the operation of snowmobiles or all-terrain vehicles on frozen surfaces of public waters subject to Sec. 25-43c; P.A. 93-405 amended Subdiv. (3) to provide that an all-terrain vehicle with an engine size of ninety cubic centimeters or less shall not be required to have front and rear lighting and shall not be operated after dark.

See Sec. 23-26g re infractions committed through violations of Environmental Protection Commissioner's regulations re operation of all-terrain vehicles on state land.

See chapter 881b re infractions of the law.

Sec. 14-388. Penalties. Liability. Except as otherwise provided, any person who violates any of sections 14-379 to 14-390, inclusive, or any regulation relating thereto shall have committed an infraction for each such offense. In addition thereto the operator or owner, or both, of a snowmobile or all-terrain vehicle, shall be responsible and held accountable to the owner of any land where trees, shrubs, crops, fences or other property have been damaged as a result of travel of such snowmobiles or all-terrain vehicles over such land, or where consequential damage has resulted from such travel. Proof of the registration number of the snowmobile or all-terrain vehicle shall be prima facie evidence in any prosecution or action for damages that the owner was the operator.

(1969, P.A. 752, S. 10; 1971, P.A. 848, S. 12; 857, S. 5; P.A. 76-381, S. 18.)

History: 1971 acts included all-terrain vehicles in provisions, included in responsibilities liability for damage to crops and fences and added reference to action for damages and consequential damage; P.A. 76-381 replaced provision for two hundred fifty dollar maximum fine with statement that violation is an infraction unless otherwise provided.

See Sec. 23-26g re penalties for violation of Environmental Protection Commissioner's regulations re operation of all- terrain vehicles on state land.

See chapter 881b re infractions of the law.

Sec. 14-389. Administration by Commissioner of Motor Vehicles. Reciprocal agreements. In the performance of his duties under sections 14-379 to 14-390, inclusive, the commissioner shall (1) prescribe uniform standards for such safety devices and equipment as he deems necessary and certify the types of devices and equipment which meet such standards and (2) promulgate such regulations respecting the registration, operation, sale and leasing of snowmobiles and all-terrain vehicles as he finds necessary for public safety. The commissioner may enter into reciprocal agreements with the commissioner of motor vehicles or other like authority of any other state for the purposes of carrying out the provisions of said sections.

(1969, P.A. 752, S. 12; 1971, P.A. 848, S. 13.)

History: 1971 act made provisions applicable to all-terrain vehicles.

See chapter 54 re uniform administrative procedure.

See Secs. 23-26b, 23-26d and 23-26f re Environmental Protection Commissioner's powers to regulate all-terrain vehicles operating on state land.

Sec. 14-390. Municipal regulation of operation and use. Any municipality may, by ordinance, regulate the operation and use, including hours and zones of use, of snowmobiles and all-terrain vehicles in a manner not inconsistent with the provisions of sections 14-379 to 14-390, inclusive, or any regulations adopted pursuant thereto.

(P.A. 73-318, S. 1, 2.)

Secs. 14-390a to 14-390e. Reserved for future use.

Sec. 14-390f. All-terrain vehicles: Effect of U.S. District Court consent decree. (a) As used in this section:

(1) "All-terrain vehicle" means any three or more wheeled motorized vehicle, generally characterized by large, low-pressure tires, a seat designed to be straddled by the operator and handlebars for steering, which is intended for off-road use by an individual rider on various types of nonpaved terrain. Such vehicles do not include trail bikes, golf carts, agricultural tractors, farm implements and construction machines;

(2) "All-terrain vehicle dealer" means any person engaged in the business of selling, leasing or renting all-terrain vehicles at retail, at a regular place of business; and

(3) "All-Terrain Vehicle Consent Decree" means the consent decree approved by the United States District Court for the District of Columbia on April 28, 1988, in settlement of Civil Action No. 87-3525, U.S. v. American Honda, et al.

(b) Each all-terrain vehicle offered for sale, lease or rental by an all-terrain vehicle dealer shall bear the safety warning hang tags pursuant to Paragraph H.3.b.(4) (a) of the All-Terrain Vehicle Consent Decree. Each all-terrain vehicle dealer shall: (1) Deliver a copy of the all-terrain vehicle safety alert to each all-terrain vehicle purchaser pursuant to Paragraph H.3.b. (4)(c) of the All-Terrain Vehicle Consent Decree; (2) prominently display the safety poster, pursuant to Paragraph H.3.b.(4) (d) of the All-Terrain Vehicle Consent Decree; (3) have the safety video readily available for viewing by prospective and actual all-terrain vehicle purchasers pursuant to Paragraph H.3.b (4)(b) of the All-Terrain Vehicle Consent Decree; (4) conform to the guidelines for advertising and promotional materials attached as Appendix K to the All-Terrain Vehicle Consent Decree; (5) represent affirmatively, including in print and electronic media for advertising or promoting all-terrain vehicles

and in point-of-purchase oral communications, that all- terrain vehicles with engine sizes of more than ninety cubic centimeters shall be used only by persons sixteen years of age or older; (6) comply with point-of-purchase communication requirements of the All-Terrain Vehicle Consent Decree; (7) orally inform the prospective or actual all-terrain vehicle purchaser of the free training courses offered by the manufacturers pursuant to Paragraph K of the final All-Terrain Vehicle Consent Decree and of the financial incentives for taking the course. Oral communications of all-terrain vehicle dealers shall not contain information inconsistent with any safety- related requirements of this section.

(c) Any person who violates any provision of subsection (b) of this section shall have committed an infraction.

(P.A. 91-399.)

APPENDIX C

Connecticut General Statutes - Use of All-Terrain Vehicles on State Land

Sec. 23-26a. "All-terrain vehicle" defined. As used in sections 23-26b to 23-26g, inclusive, "all-terrain vehicle" means a motorized vehicle, not suitable for operation on a highway that (1) is not more than fifty inches in width, (2) has a dry weight of not more than six hundred pounds, (3) travels on two or more tires specifically designed for unimproved terrain, (4) has a seat or saddle designed to be straddled by the operator, and (5) has an engine with a piston displacement of more than fifty cubic centimeters. (P.A. 86-249, S. 1.) (P.A. 02-70, S. 84.)

Sec. 23-26b. Certificate to operate all-terrain vehicles on state land. (a) No person shall operate an all-terrain vehicle on state land without first obtaining a certificate from the Commissioner of Environmental Protection and unless such vehicle is registered pursuant to section 14-380. No certificate to operate an all-terrain vehicle on state land shall be issued to any person under eighteen years of age unless such person has completed a safety education course for all-terrain vehicles given pursuant to section 23-26d.

(b) The commissioner may require that any person operating an all-terrain vehicle on state land (1) furnish proof of liability and property damage insurance on the vehicle, and (2) agree to indemnify and hold harmless the state of Connecticut against any and all suits, claims, demands or judgments, including claims presented under the provisions of chapter 53, that may be allowed against the state for injury to any person as a result of the operation of an all-terrain vehicle on state land. (P.A. 86-249, S. 2.)

Sec. 23-26c. Availability of state land for use by persons operating all-terrain vehicles. The Commissioner of Environmental Protection shall evaluate the properties under his jurisdiction and the jurisdiction of other state agencies for their use by persons operating all-terrain vehicles and shall make available some of such properties for such use. In making such properties available the commissioner shall consider minimizing the impact of all-terrain vehicles on the environment. Before making any property available that is under the jurisdiction of another state agency, the commissioner shall consult with such agency. (P.A. 86-249, S. 3.)

Sec. 23-26d. Regulations re safety education courses for the operation of all-terrain vehicles. The Commissioner of Environmental Protection, in consultation with the Commissioner of Consumer Protection, shall, by regulations adopted in accordance with the provisions of chapter 54, formulate safety education courses for the operation of all-terrain vehicles. The Commissioner of Environmental Protection may designate as his agent for giving a course any person or organization he deems qualified to act in such capacity. (P.A. 86-249, S. 4, 9.)

Sec. 23-26e. Operation of all-terrain vehicles on state land by certain minors. No person less than twelve years of age shall operate an all-terrain vehicle on state land. A person between twelve and sixteen years of age may operate an all-terrain vehicle on state land provided such person has obtained a certificate pursuant to section 23-26b and is supervised by a person eighteen years of age or older who has completed a safety education course given pursuant to section 23-26d. (P.A. 86-249, S. 5.)

Sec. 23-26f. Regulations re operation of all-terrain vehicles. The Commissioner of Environmental Protection shall adopt regulations in accordance with the provisions of chapter 54 (1) establishing standards and procedures for certification of operators of all-terrain vehicles and the use of all-terrain vehicles on state land, (2) setting a fee sufficient to cover the cost of implementing the certification program required pursuant to section 23-26b and (3) establishing safety requirements for the operation of all-terrain vehicles on state land which shall include provisions for noise levels. Any regulations concerning safety shall be adopted in consultation with the Commissioner of Consumer Protection. (P.A. 86-249, S. 6, 9.)

See chapter 255 (Secs. 14-379 et seq.) re snowmobiles and all-terrain vehicles generally.

Sec. 23-26g. Penalties. (a) Any person who violates section 23-26b or 23-26e or any regulations adopted pursuant to section 23-26f shall have committed an infraction. For a second and each subsequent violation of any of said laws or regulations the Commissioner of Environmental Protection may suspend any certificate issued pursuant to section 23-26b and the right to obtain any such permit for not more than two years.

(b) Any person who (1) knowingly permits a person less than eighteen years of age who has not obtained a certificate pursuant to section 23-26b to operate an all-terrain vehicle on state land, (2) permits a person less than twelve years of age to operate an all-terrain vehicle on state land or (3) allows a person between twelve and sixteen years of age to operate an all-terrain vehicle on state land without being supervised by a person more than eighteen years of age, shall have committed an infraction.

(P.A. 86-249, S. 7.)

See Secs. 14-387 and 14-388 re violations of rules of operation of snowmobiles and all-terrain vehicles and resulting penalties, generally.

APPENDIX D

Environmental Assessment Outline

This outline is intended to assist organizations in preparing an Environmental Assessment for a proposed ATV project as referenced in section 5F of this document. Responses under each of the main topic headings should be integrated in a narrative discussion. The degree of detail necessary will depend upon the scope and complexity of a proposed project. It is important to be objective in preparing the assessment, rather than presenting a justification for the proposed project. Additional information may be requested if the proposed project requires further documentation in accordance with the Connecticut Environmental Policy Act.

1. Project Description

Describe the improvements, facilities or actions that would be undertaken as part of the proposed project. For each project element, indicate whether it is new construction, expansion or rehabilitation. Provide a site plan which clearly identifies each element of the proposed project and any other existing facilities on the project site.

Describe the sizes and capacities for the various project elements (e.g. roads, parking lot, building infrastructure, trails, estimates of use - daily, peak and seasonal).

Describe any plans for future development at the proposed project site. Provide, if available, a copy of the master plan for the proposed project site.

Describe the need for the proposed project.

Describe, as appropriate, how sanitary, electric and water services are to be furnished to the proposed project site.

Describe management, operational and maintenance procedures for the proposed project.

2. Environmental Setting

A. General Characteristics

Describe the present and previous land uses on the proposed project site and in the surrounding area. Provide a copy of a topographic map of the area which clearly shows the proposed project site.

Describe the existing transportation routes in the area and elaborate on access (vehicular, pedestrian) to the proposed project site.

Describe the type and extent of existing public use of the property including active and passive recreational activities.

B. Specific Characteristics

Describe the soils on the proposed project site. Provide a soil survey map of the project site which clearly identifies regulated wetland areas.

Describe the water resources on the proposed project site including wetlands, ground water, watercourses, impoundments, and flood plains.

Describe the vegetation on the proposed project site, including species, distribution, age, density and overall quality.

Describe the fauna of the proposed project site and relative abundance of species.

Describe whether any rare or endangered species occur on the proposed project site, if known.

Describe any unusual or unique feature or quality of the proposed project site.

3. Environmental Impacts of the Proposed Project

Describe the affects on land uses surrounding the proposed project site.

Describe the affects on current public use of the property with respect to compatibility with and possible displacement of existing recreational activities.

Describe any impacts on historic and/or archaeological resources located on site.

Describe the affects on the various site characteristics previously discussed and quantify these impacts, i.e., area of wetlands, forest, field, lawn, previously disturbed land, etc. to be impacted.

Describe the affects on water resources and consider such factors as wetland functions, water table, impermeable surfaces, runoff, sanitary facilities, rivers and streams, water supply sources, etc.

Describe the affects on fauna and consider such factors as habitat destruction, human intrusion, mobility restrictions, food chains, etc.

Describe how existing transportation routes will be affected and compare existing roadway capacities with traffic levels generated by peak use of the proposed project.

Describe the affects of the proposed project on air quality and/or existing noise levels in the area (if applicable).

4. **Mitigation Measures**

Discuss the actions or measures that will be implemented to avoid or minimize the environmental impacts described above. Particular reference should be made, as appropriate, to the use of techniques and conformance with standards related to air, noise, erosion and water pollution control; avoidance and maintenance of wetlands and sensitive habitats; special operational and maintenance procedures; and the use of creative design.

5. **Unavoidable Environmental Impacts**

Describe any project impacts identified in Section 3 that cannot be mitigated. Identify and quantify, whenever possible, who or what will be affected and to what degree.

Topic:

LAND USE; MOTOR VEHICLES; STATE PARKS; STATE PROPERTY;

Location:

GOVERNMENT PROPERTY;



February 11, 2004

2004-R-0176

USE OF ALL-TERRAIN VEHICLES ON STATE LAND

By: Paul Frisman, Associate Analyst

You asked for a legislative history of CGS § 23-26c, which requires the state Department of Environmental Protection (DEP) to make some state land available for use by all-terrain vehicle (ATV) operators.

BACKGROUND ON CGS §23-26C

CGS § 23-26c was enacted as part of PA 86-249, An Act Concerning Use of All Terrain Vehicles on State Land. It requires the DEP commissioner to evaluate DEP and other state property for use by ATV operators, and to make some land available for their use. The commissioner must consider minimizing ATVs' environmental impact in making land available and must consult with other state agencies before making their land available.

PA 86-249 also requires ATV operators to be at least 12 years old and have a certificate from the DEP commissioner to operate on state land, requires development of safety standards, and establishes penalties for illegally operating ATVs on state land. It specifies that the power of water companies and the state health department to restrict recreation on reservoirs take precedence over the right to operate snowmobiles and ATVs on frozen water bodies.

LEGISLATIVE HISTORY

The Environment Committee, which raised AAC Use of All Terrain Vehicles on State Land (HB 5397) as a committee bill, held a public hearing on the measure on February 25, 1986. The committee referred a substitute bill to the Transportation Committee, which reported it favorably to the floor on April 8. On April 16, the House referred the bill to the Appropriations Committee, which reported it favorably on April 24. The House and Senate passed the bill without discussion on April 29 and May 2, respectively. The House approved it by a vote of 91 to 56. The Senate approved it on consent. Gov. O'Neill signed it into law on June 4, 1986.

ENVIRONMENT PUBLIC HEARING TESTIMONY

The bill heard at the February hearing differed in several respects from the version signed into law. For one thing, it did not require the DEP commissioner to evaluate state properties or consider the environmental impact of ATV use before making the land available for such use.

Tom Gaffey, executive assistant to the DEP commissioner, told committee members that DEP was concerned that ATVs would tear up the ground over which they traveled. He said the resulting erosion would be worse than that caused by off-road motorcycles ("dirt bikes"), the use of which the department allowed on some state land. Gaffey testified that DEP expected that the areas suitable for ATV activities would be "small in number" because of the costs involved in correcting the resulting erosion and pollution problems. He suggested adding language to the bill directing the DEP commissioner to study which state lands might be suitable for ATV use, taking into consideration the state's significant biological resources. Gaffey also said DEP would need additional staff to devise the safety education courses, safety requirements and operator certification program the bill required.

Martin Burke, testifying on behalf of the Connecticut Waterworks Association, did not object to the bill, but noted a possible conflict between an existing statute allowing operation of snowmobiles and ATVs on frozen water bodies (CGS § 14-387) and the law (CGS § 25-43c) that gave authority over recreation on watersheds and reservoirs to the Department of Health Services and the water company that owned the land. He asked that language be inserted in the bill specifying that such snowmobile and ATV operation be subject to CGS § 25-43c. That language was subsequently added. John E. Hibbard, secretary of the Connecticut Forest and Park Association, supported Burke's position on operation of ATVs on water company lands, as did the Department of Health Services in a written statement submitted by Ray Jarema, chief of the water supplies section.

Ed Pratt, president of the Southern New England ATV Association, a 750-member organization of Connecticut ATV operators, told committee members that thousands of Connecticut ATV owners did not register them because they were unable to use them on state land. Pratt said ATV owners were not seeking "carte blanche in state forests" but wanted to be able to ride on suitable state land. He said providing ATV operators with suitable areas would cut down on the number of people riding in state forests where it is "environmentally illogical for us to be there." Pratt testified that ATVs caused less harm to the environment than did dirt bikes, but agreed that any such recreational use would cause erosion. Pratt also testified in support of operator certification procedures.

Robert Crook, of the Connecticut Sportsmen's Alliance, said his organization supported multiple recreational use of state land, including the use of ATVs. However, he favored restricting ATV use to land belonging to other state agencies, and not permitting their operation on DEP land meant to conserve natural resources "unless absolutely necessary."

PF: ro



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

Memorandum

Date: OCT 24 2003

TO : The Commission
Todd Stevenson, Secretary

THROUGH: W. H. DuRoss, III, General Counsel
Patricia M. Semple, Executive Director

FROM : Jacqueline Elder, Assistant Executive Director
Hazard Identification and Reduction

Susan Ahmed, Ph.D., Associate Executive Director
Directorate for Epidemiology

SUBJECT : Annual Report: All-Terrain Vehicle (ATV)-Related Deaths and Injuries

Attached is the annual report of ATV-related deaths and injuries for the year 2002. This report covers death data available as of December 31, 2002 and data on injuries occurring up to December 31, 2002.

This year we made several changes to the report to bring it more in line with the current ATV market and to aid in its readability. All of these are explained in detail in the methodology section. Briefly, these changes include:

- The addition of Appendix A, giving a year-by-year breakdown of the percentage of deaths involving children.
- The addition of a methodology appendix (Appendix B) to explain how each number in the report was calculated.
- New risk estimates (for injuries and deaths) that make use of improved estimates of the numbers of ATVs in use. The improved estimates are from a model derived using data from the 2001 injury and exposure studies. The effects of these new estimates are highlighted in Appendix C.
- New injury estimates for 2001 and 2002, using the latest adjustment factors that resulted from the 2001 ATV injury and exposure studies; and to be consistent, revised estimates for several other years using a revised 1997 adjustment factor.

Attachment (1)



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

Memorandum

Date: September 15, 2003

TO : Susan Ahmed, Ph.D.
Associate Executive Director
Directorate for Epidemiology

THROUGH: Russell Roegner, Ph.D., Director *RR*
Division of Hazard Analysis
Directorate for Epidemiology

FROM : Robin L. Ingle, Mathematical Statistician *RI*
Division of Hazard Analysis
Directorate for Epidemiology

SUBJECT : 2002 Annual Report of ATV Deaths and Injuries

Introduction

Injuries and deaths associated with the use of all-terrain vehicles (ATVs) have shown an increasing trend in the last several years. This report provides an update of the U.S. Consumer Product Safety Commission's data on ATV injuries and deaths. This report utilizes death data available as of December 31, 2002 and data on injuries occurring up to December 31, 2002.

The number of deaths associated with ATVs that have been reported to the Commission has increased by 698 since the last report. There was an increase in the estimated number of emergency-room-treated injuries for 2002, up about three percent over 2001. This increase was not statistically significant. The 2002 estimate does represent a statistically significant increase over the estimates from the years 1997 to 2000, however. The increase is not fully explained by an increase in the number of ATVs in use. Children under 16 years of age accounted for 37 percent of the total estimated injuries from 1985 through 2002.

Deaths Reported to the Commission

On December 31, 2002, the Commission had reports of 5,239 ATV-related deaths that have occurred since 1982 (Table 1). The reported deaths increased by 698 since the December 31, 2001 tabulation for the last report dated May 15, 2002.

Table 1
Reported ATV-Related Deaths by Year
ATVs with 3, 4 or Unknown Number of Wheels
January 1, 1982 to December 31, 2002

Year ¹	Number of Deaths	Difference Since Last Update (12/31/2001)
Total	5,239	+698
2002	357	+357
2001	467	+197
2000	446	+102
1999 ²	399	+42
1998	251	0
1997	241	0
1996	248	0
1995	200	0
1994	198	0
1993	183	0
1992	221	0
1991	230	0
1990	234	0
1989	230	0
1988	250	0
1987	264	0
1986	299	0
1985	251	0
1984	156	0
1983	85	0
1982	29	0

Source: U.S. Consumer Product Safety Commission, Directorate for Epidemiology, Division of Hazard Analysis.

Table 2 on the next page is a listing of ATV-related deaths for each state, the District of Columbia and Puerto Rico. The highest numbers of deaths were reported for California (305), Pennsylvania (287), Texas (233), Michigan (224) and New York (224).

¹ Reporting is incomplete for 2000, 2001 and 2002.

² Beginning in 1999, deaths were coded under the Tenth Revision of the International Classification of Diseases (ICD-10). See Appendix B for an explanation of the effect of this change.

Table 2
Deaths Associated With ATVs by State
ATVs with 3, 4 or Unknown Number of Wheels
Reported for the Period January 1, 1982 Through December 31, 2002

State	Frequency	Percent	Cumulative Frequency	Cumulative Percent
CALIFORNIA	305	5.8	305	5.8
PENNSYLVANIA	287	5.5	592	11.3
TEXAS	233	4.4	825	15.7
MICHIGAN	224	4.3	1,049	20.0
NEW YORK	224	4.3	1,273	24.3
WEST VIRGINIA	220	4.2	1,493	28.5
KENTUCKY	215	4.1	1,708	32.6
FLORIDA	200	3.8	1,908	36.4
TENNESSEE	200	3.8	2,108	40.2
NORTH CAROLINA	189	3.6	2,297	43.8
MISSISSIPPI	168	3.2	2,465	47.1
ARKANSAS	158	3.0	2,623	50.1
GEORGIA	150	2.9	2,773	52.9
MISSOURI	143	2.7	2,916	55.7
MINNESOTA	142	2.7	3,058	58.4
WISCONSIN	142	2.7	3,200	61.1
OHIO	140	2.7	3,340	63.8
LOUISIANA	124	2.4	3,464	66.1
ILLINOIS	118	2.3	3,582	68.4
ARIZONA	112	2.1	3,694	70.5
ALABAMA	110	2.1	3,804	72.6
VIRGINIA	101	1.9	3,905	74.5
INDIANA	93	1.8	3,998	76.3
UTAH	91	1.7	4,089	78.0
ALASKA	88	1.7	4,177	79.7
OREGON	87	1.7	4,264	81.4
IOWA	75	1.4	4,339	82.8
OKLAHOMA	75	1.4	4,414	84.3
MAINE	72	1.4	4,486	85.6
KANSAS	68	1.3	4,554	86.9
IDAHO	62	1.2	4,616	88.1
COLORADO	58	1.1	4,674	89.2
NEW MEXICO	53	1.0	4,727	90.2
WASHINGTON	53	1.0	4,780	91.2
SOUTH CAROLINA	50	1.0	4,830	92.2
NEBRASKA	46	0.9	4,876	93.1
NEW HAMPSHIRE	44	0.8	4,920	93.9
MASSACHUSETTS	43	0.8	4,963	94.7
VERMONT	38	0.7	5,001	95.5
NEW JERSEY	37	0.7	5,038	96.2
NEVADA	34	0.6	5,072	96.8
MARYLAND	32	0.6	5,104	97.4
SOUTH DAKOTA	30	0.6	5,134	98.0
NORTH DAKOTA	27	0.5	5,161	98.5
MONTANA	24	0.5	5,185	99.0
CONNECTICUT	19	0.4	5,204	99.3
WYOMING	18	0.3	5,222	99.7
DELAWARE	5	0.1	5,227	99.8
HAWAII	4	0.1	5,231	99.8
RHODE ISLAND	4	0.1	5,235	99.9
DISTRICT OF COLUMBIA	2	0.0	5,237	100.0
PUERTO RICO	2	0.0	5,239	100.0

Source: U.S. Consumer Product Safety Commission, Directorate for Epidemiology, Division of Hazard Analysis.

Characteristics of ATVs and Fatalities

A review of the reported fatalities indicated that 1706 victims (33% of the 5,239 total) were under 16 years of age and 723 (14% of the total) were under 12 years of age. These figures have been corrected since previous reports.³ Appendix A gives the numbers and percentages of reported fatalities by age group and year.

Production of three-wheel ATVs ceased in the mid- to late-1980s, and most ATVs currently distributed in the U.S. are four-wheel ATVs. The percent of reported fatalities that involved four-wheel ATVs has increased from seven percent or less prior to 1985 to about 88 percent for 2002, based on those fatalities reported so far for 2002. (Data collection for 2002 is not yet complete.) CPSC estimates that of the 5.6 million three- or four-wheel ATVs in use in 2001, about 86 percent were four-wheelers.⁴

Estimated Deaths and Risk of Death, 1985 to 2001

The deaths reported to the Commission represent a minimum count of ATV-related deaths. To account for deaths not reported to the Commission, estimates of the annual deaths were calculated for 1985 through 2001 using a statistical approximation method. Table 3 on the next page shows the annual reported and estimated numbers of ATV-related deaths for ATVs with three, four or unknown number of wheels, in addition to the annual estimates and risk of death (per 10,000 in use) for four-wheel ATVs from 1985 to 2001.

The heavy line between 1998 and 1999 in Table 3 demarcates the switch from data collection under the Ninth Revision of the International Classification of Diseases (ICD-9) and the Tenth Revision (ICD-10), a transition that occurred worldwide in January of 1999. The ICD-10 transition and the resulting necessary changes in methodology are discussed more fully in Appendix B. Because ICD-10 allows CPSC to gather data on more ATV-related deaths than had been possible under ICD-9, some of the increase in deaths from 1998 to 1999 may be due to changes in data collection. However, such a conclusion would indicate that the death estimates calculated by the pre-1999 methodology were underestimates, though they are the best estimates possible using available data.

For this report, the risk of death per 10,000 four-wheel ATVs in use was recalculated for the years 1987 onward based on new exposure data. A discussion of the methodology used for the recalculation as well as the new exposure data is given in Appendices B and C.

³ Values previously reported for victims under 16 and under 12 included 16-year-olds and 12-year-olds, respectively.

⁴ Levenson, M. *All-Terrain Vehicle 2001 Injury and Exposure Studies*. January 2003. U.S. Consumer Product Safety Commission.

Table 3
Annual Estimates of ATV-Related Deaths
And Risk of Death for Four-Wheel ATVs
As of December 31, 2002

Year ⁵	Reported Deaths	Estimated Deaths Associated With ATVs with 3, 4 or Unknown Wheels	Estimated Deaths Involving 4-Wheel ATVs	Risk of Death per 10,000 4-Wheel ATVs In Use ⁶
2001	467	634	584	1.2
2000	446	569	516	1.2
1999 ⁷	399	566	516	1.4
1998	251	287	245	0.8
1997	241	291	243	0.9
1996	248	267	208	0.9
1995	200	276	212	1.0
1994	198	244	168	0.8
1993	183	211	144	0.7
1992	221	241	158	0.8
1991	230	255	152	0.8
1990	234	250	151	0.9
1989	230	258	153	0.9
1988	250	286	152	1.1
1987	264	282	126	1.1
1986	299	347	95	1.3
1985	251	295	55	1.5

Source: U.S. Consumer Product Safety Commission, Directorate for Epidemiology, Division of Hazard Analysis.

Estimated Hospital Emergency Room Treated Injuries

Table 4 shows estimates of ATV-related injuries treated in hospital emergency rooms nationwide between January 1, 1982 and December 31, 2002. Children under 16 years of age accounted for about 37 percent of the total estimated injuries from 1985 through 2002 inclusive. These estimates are generated from CPSC's National Electronic Injury Surveillance System, a probability sample of U.S. hospitals with 24-hour emergency rooms and more than six beds.

⁵ Reporting is incomplete for 2000 and 2001.

⁶ Risk of death has been recalculated since the last report according to the methodology detailed in Appendix B. Changes affecting this table in this year's report are discussed in Appendix C.

⁷ Beginning in 1999, deaths were coded under the Tenth Revision of the International Classification of Diseases (ICD-10). See Appendix B for an explanation of the effect of this change.

Table 4
Annual Estimates⁸ of ATV-related Hospital Emergency Room Treated Injuries
ATVs with 3, 4 or Unknown Number of Wheels
January 1, 1982 through December 31, 2002

Year	All Ages	Ages less than 16 years
2002	113,900	37,100
2001	110,100	34,300
2000	92,200	32,000
1999	82,000	27,700
1998	67,800	25,100
1997	52,800	20,600
1996	53,600	20,200
1995	52,200	19,300
1994	50,800	21,400
1993	49,800	17,900
1992	58,200	22,000
1991	58,100	22,500
1990	59,500	22,400
1989	70,300	25,700
1988	74,600	28,500
1987	93,600	38,600
1986	106,000	47,600
1985	105,700	42,700
1984	77,900	⁹
1983	32,100	⁹
1982	10,100	⁹

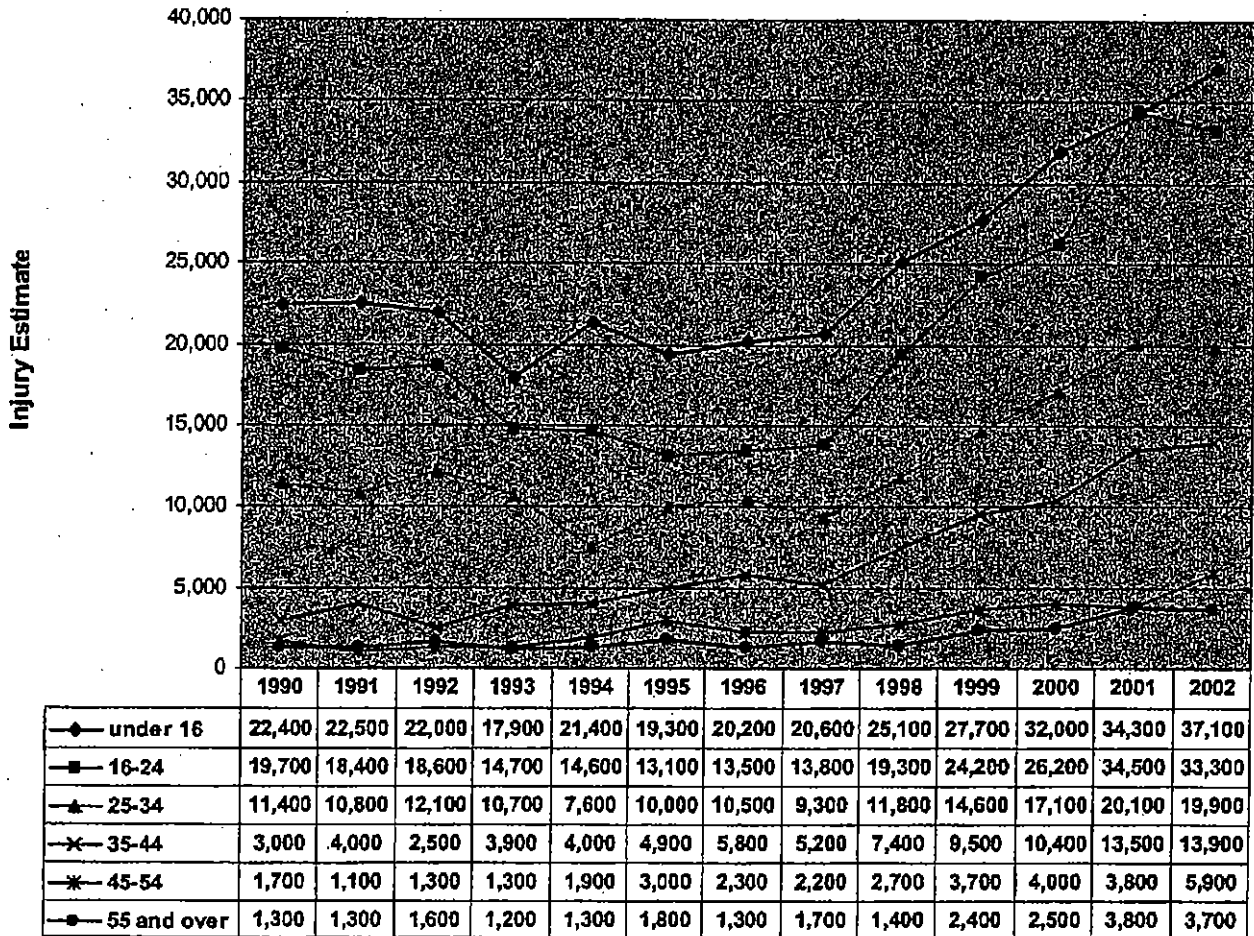
Source: National Electronic Injury Surveillance System, U.S. Consumer Product Safety Commission

Figure 1 presents annual estimates by age group for ATV-related injuries treated in hospital emergency rooms since 1989. The total estimate for 2002 reflects an increase of about three percent over the 2001 estimate. This increase was not statistically significant. The 2002 estimate does represent a statistically significant increase over the estimates from the years 1997 to 2000, however. This increase is not fully explained by an increase in the number of ATVs in use. The 45- to 54-year-old age group showed a statistically significant increase over 2001; the other age groups did not have statistically significant changes between 2001 and 2002.

⁸ Estimates have been adjusted according to the methodology in Appendix B. Changes affecting this table in this year's report are discussed in Appendix C.

⁹ Adjusted estimates for children under 16 years old were not computed prior to 1985.

Figure 1
Annual ATV-Related Injury Estimates¹⁰
ATVs with 3, 4 or Unknown Number of Wheels
1990-2002



Source: National Electronic Injury Surveillance System, U.S. Consumer Product Safety Commission

The greatest percentage change in number of injuries occurred in the 45- to 54-year-old age group, where injuries increased by 55 percent between 2001 and 2002. The under-16 age group increased by eight percent. A slight increase was also seen in the 35-44 age group. The number of injuries in the 16- to 24-year-old and 55-and-older age groups decreased by three percent, and the 25- to 34-year-old group showed virtually no change.

Table 5 shows estimates of four-wheel ATV-related injuries and risk of injury for January 1, 1985 through December 31, 2002, where risk is defined as the estimated number of injuries divided by the number of vehicles in use, multiplied by 10,000. The increasing trend in the risk of injury from the late 1990s to 2001 may suggest that the increase in deaths in corresponding years is not due merely to the fact that under the Tenth Revision of the International Classification of Diseases, CPSC began receiving death certificates for ATV deaths on public roads.¹¹

¹⁰ Estimates have been adjusted according to the methodology in Appendix B.

¹¹ For full details, see Appendix B.

Table 5
Estimated Number of Injuries And Risk of Injury
Associated with Four-Wheel ATVs
January 1, 1985 – December 31, 2002

Year	Injury Estimate ¹²	Risk Estimate per 10,000 ATVs ¹³
2002	104,800	190.0
2001	98,200	200.9
2000	82,300	197.2
1999	68,900	193.0
1998	57,100	184.7
1997	39,700	146.1
1996	40,700	168.1
1995	36,200	165.7
1994	33,300	165.4
1993	32,000	164.9
1992	33,000	175.1
1991	34,400	188.1
1990	30,800	175.1
1989	35,700	217.8
1988	39,400	276.1
1987	33,900	305.9
1986	23,400	319.2
1985	14,700	391.1

Source: U.S. Consumer Product Safety Commission, Directorate for Epidemiology, Division of Hazard Analysis, National Electronic Injury Surveillance System, and the Directorate for Economic Analysis.

Discussion

The use of three-wheel ATVs has declined; therefore, ATVs in use are primarily four-wheel vehicles. Estimated numbers of deaths for four-wheel ATVs (Table 3) were generally constant from the late 1980s through the early 1990s; thereafter, estimated numbers of deaths increased. In 1999, a revision of the system for coding deaths was implemented. Because of those changes, some of the increase seen between 1998 and 1999 may be due to CPSC's increased abilities to obtain more accurate counts of deaths occurring on public roads. Any conclusion indicating that at least some of the increase in estimated deaths is due to data collection also implies that the estimates for years prior to 1999 have always been underestimates, though they are the best estimates possible using available data. CPSC staff believes this to be the case; while the 1999 estimates and preliminary 2000 and 2001 estimates

¹² Annual estimates have been adjusted according to the methodology in Appendix B. Changes affecting this table in this year's report are discussed in Appendix C.

¹³ Risk of injury has been recalculated since the last report according to the methodology detailed in Appendix B. Changes affecting this table in this year's report are discussed in Appendix C.

indicate there is an actual increase in deaths, the trend may not be rising as sharply as it appears because the numbers of deaths in the late 1990s were underestimates. Such is also the case for risk of death.

The estimated number of injuries for four-wheel vehicles (Table 5) was also relatively constant for the late 1980s through the early-to-mid 1990s; thereafter the numbers of injuries also increased, and statistically significant increases have occurred most years since 1997. The increase in the estimated injuries suggests that the increase in deaths may not be entirely due to better data collection.

Appendix A

Reported ATV-Related Deaths by Year and Age Group ATVs with 3, 4 or Unknown Number of Wheels January 1, 1982 to December 31, 2002

Year ¹⁴	0-11 Years Old	0-11 Years Old Percent of Total	0-15 Years Old	0-15 Years Old Percent of Total
Total	723	14	1,706	33
2002	37	10	99	28
2001	52	11	119	25
2000	51	11	124	28
1999 ¹⁵	36	9	92	23
1998	30	12	82	33
1997	38	16	79	33
1996	40	16	87	35
1995	26	13	64	32
1994	20	10	54	27
1993	18	10	59	32
1992	32	14	71	32
1991	40	17	68	30
1990	27	12	81	35
1982-1989	276	18	627	40

Source: U.S. Consumer Product Safety Commission, Directorate for Epidemiology, Division of Hazard Analysis.

¹⁴ Reporting is incomplete for 2000, 2001 and 2002. Percentages for years for which reporting is incomplete should be interpreted with caution because the rate at which deaths are reported may not be consistent across all age groups.

¹⁵ Beginning in 1999, deaths were coded under the Tenth Revision of the International Classification of Diseases (ICD-10). See Appendix B for a discussion of the effect of this change.

Appendix B

Methodology

Deaths

CPSC staff estimates the number of deaths associated with ATVs by use of a capture-recapture approach. This approach involves examining the numbers of reports of fatalities gathered by two different methods. The first method is the collection of death certificates purchased from the states, where the death was deemed ATV-related by the medical examiner. These incidents are entered into CPSC's death certificate database (DTHS). The second method is the collection of various types of reports of fatal ATV-related incidents by any other means available to the agency: news clips, reports from the Medical Examiners' and Coroners' Alert Project (MECAP), reports from consumers via phone or internet, hospital reports from the National Electronic Injury Surveillance System (NEISS), as well as other types of reports.

The calculation of the capture-recapture estimate entails examining the number of incidents included in DTHS or from non-DTHS sources as well as the number included on both lists of incidents. The estimate is given by

$$\text{estimate} = \frac{(M+1)(N+1)}{n+1} - 1 \qquad \text{Formula 1}$$

where

M is the number of incidents captured by purchase of death certificates from the states,
N is the number of incidents collected by other means, and
n is the number of incidents captured by both death certificate purchase and by at least one other source.

Estimates of fatalities occurring after January 1, 1999 that were associated with ATVs with three, four or an unknown number of wheels were calculated using formula 1.

In 1999, CPSC began collecting death certificates of all fatalities involving an ATV, as coded under the Tenth Revision of the International Classification of Diseases (ICD-10). ICD-10 marks the first revision for which all ATV-related fatalities are grouped under a single code, thus facilitating more complete collection of these incidents by CPSC than was accomplished prior to 1999.

Prior to 1999, CPSC received death certificates only of fatalities occurring in places other than public roads and of fatalities occurring in public road locations that were erroneously reported as non-public-road locations. Because of this, the procedure for estimating ATV-related deaths had two parts. Because death certificates generally were not collected for public road fatalities, the count for these fatalities was the number of reports received, mostly in the Injury or Potential Injury Incident file

(IPII). For incidents occurring in other places, the capture-recapture approach was applied. The two parts (incidents occurring on public roads and incidents occurring in other places) were then combined for the annual estimate of deaths, as in the following formula:

$$estimate = \frac{(M_{NP} + 1)(N_{NP} + 1)}{n_{NP} + 1} - 1 + C_p \quad \text{Formula 2}$$

where

M_{NP} is the number of reports of non-public-road fatalities captured by purchase of death certificates from the states,

N_{NP} is the number of reports of non-public-road fatalities collected by other means,

n_{NP} is the number of reports of non-public-road fatalities captured by both death certificate purchase and by at least one other source,

and

C_p is the count of reports of ATV-related fatalities occurring on public roads from any source.

We believe estimates for years prior to 1999 to be under-estimates because those estimates used only the available count of public road fatalities, and did not account for missing reports. Since CPSC now receives death certificates for ATV incidents occurring anywhere, the capture-recapture approach has been utilized for the entire estimate of ATV-related deaths from 1999 forward. The resulting estimates of deaths after January 1, 1999 represent a better approximation of the number of deaths associated with ATVs.

A number of incidents reported to CPSC involve ATVs for which the number of wheels is unknown. Because some of these actually involve four-wheel ATVs, the unknowns are apportioned in the calculation of the estimated number of deaths associated with four-wheelers. This estimate was calculated by first dividing the reported number of deaths for four-wheel ATVs by the combined reported number of deaths for three- and four-wheel ATVs, then multiplying this quotient by the estimated number of deaths for all ATVs (three, four or unknown number of wheels). Thus, the estimate of deaths associated with four-wheel ATVs is given by

$$Estimate_{4W} = \frac{rep_{4W}}{rep_{3W+4W}} Est_{3W+4W+UW} \quad \text{Formula 3}$$

where

$Estimate_{4W}$ is the estimated number of fatalities associated with four-wheel ATVs,

rep_{4W} is the reported number of fatalities associated with four-wheel ATVs,

rep_{3W+4W} is the reported number of fatalities associated with three- and four-wheel ATVs,

and

$Est_{3W+4W+UW}$ is the estimated number of fatalities associated with ATVs with three, four or an unknown number of wheels.

Risk of death associated with four-wheel ATVs was calculated by dividing the annual estimate by the number of ATVs in use in a given year. Annual ATV population estimates are based on ATV sales and operability rates provided by industry, as well as on injury and exposure studies conducted by CPSC.¹⁶ Annual population estimates for 1994 and prior years were computed from a survival model derived from 1994 data. Annual population estimates for years 2001 and after were computed from a survival model derived from 2001 data. Population estimates for the intervening years come from a model that provides a smooth transition between the 1994 and the 2001 models. Because of the availability of more recent exposure and operability data, risk estimates were recalculated for 1995 forward. In order to ensure consistency with post 1994 operability rates, we also took the opportunity to recalculate risk estimates for 1987 to 1994 using unrounded denominators. Risk figures may differ from previously published figures because of these changes.

Because reliable operability rates data are not available for three-wheel ATVs, the risk of death is given in this report only for four-wheel ATVs.

Fatal incidents considered in-scope in this report include any unintentional incident involving an ATV, whether or not the ATV was in operation at the time of the incident. Because of the difficulties inherent in distinguishing between occupational and non-occupational use, occupational fatalities are included when reported to CPSC. For instance, a fatality that occurs when a victim is riding alongside a fence on a ranch for the purpose of checking it and then overturns his ATV while deviating from his usual work routine to take a "joy ride" up a nearby hill may be difficult to classify. In addition, ATVs are primarily recreational products, and the relative proportion of occupational fatalities in this report is small.

Injuries

All injury estimates in this report were derived from data collected through CPSC's National Electronic Injury Surveillance System, a probability sample of U.S. hospitals with 24-hour emergency rooms and more than six beds.¹⁷ Estimates have been adjusted due to revisions in the NEISS Coding Manual in 1985, as well as to account for NEISS sampling frame updates.¹⁸ Estimates for 1982 through 1985 were adjusted based on a review of NEISS comments to exclude dune buggies and identify ATVs classified as mini or trail bikes.

Injury estimates for 1985 and 1989 are based on injury surveys using NEISS cases. Injury estimates for other years have been adjusted by factors to account for out-of-scope (non-ATV) cases based on injury

¹⁶ See Levenson, M., 2001 ATV Operability Rate Analysis, memorandum. May 6, 2003. U.S. Consumer Product Safety Commission. Also see Levenson, M. *All-Terrain Vehicle 2001 Injury and Exposure Studies*. U.S. Consumer Product Safety Commission. January 2003.

¹⁷ Schroeder, T. and Ault, K. *The NEISS Sample (Design and Implementation) From 1979 to 1996*. U.S. Consumer Product Safety Commission. June 2001.

Schroeder, T. and Ault, K. *The NEISS Sample (Design and Implementation) From 1997 to the Present*. U.S. Consumer Product Safety Commission. June 2001.

¹⁸ Marker, D.; Waksberg, J.; and Braden, J. *NEISS Sample Update*. Westat, Inc. June 3, 1988.

Marker, D., and Lo, A. *Update of the NEISS Sampling Frame and Sample*. Westat, Inc. October 11, 1996.

studies in 1985, 1989, 1997 and 2001.¹⁹ An in-scope case was defined to be any non-occupational, unintentional case involving an ATV, whether or not the victim was operating the ATV at the time of the incident. (NEISS does not collect occupational injuries.) The adjustment factors were 0.93 for 1986 through 1988, 0.95 for 1990 through 1996, 0.903 for 1997 through 2000 (amended from 0.935) and 0.922 for 2001 and after.

NEISS includes incidents associated with ATVs for which the number of wheels is unknown. Because of this, the unknowns are apportioned in the calculation of the estimated injuries associated with four-wheelers. The four-wheel calculation was accomplished by the following formula:

$$Total\ Estimate_{4W} = \frac{Estimate_{4W}}{Estimate_{3W+4W}} (Estimate_{3W+4W+UW}) \quad Formula\ 4$$

where

Total Estimate_{4W} is the total estimated injuries associated with four-wheel ATVs with unknowns apportioned,

Estimate_{4W} is the estimated injuries associated with four-wheel ATVs not including unknowns,

Estimate_{3W+4W} is the combined estimated injuries associated with three- and four-wheel ATVs (not including unknowns),

Estimate_{3W+4W+UW} is the combined estimated injuries associated with ATVs with three, four or an unknown number of wheels.

Risk of injury in this report is defined as the estimated number of injuries divided by the number of vehicles in use, multiplied by 10,000. Annual ATV population estimates were the same as those used in the calculation of risk of death and are discussed elsewhere in this appendix.

¹⁹ Levenson, M., ATV Injury Adjustment Factors for 1997 and 2001, memorandum. September 12, 2003. U.S. Consumer Product Safety Commission.

Rodgers, G. and Zamula, W. Results of the ATV Exposure Study, memorandum. September 12, 1986. U.S. Consumer Product Safety Commission.

Rodgers, GB. *Descriptive Results of the 1989 All-Terrain Vehicle Exposure Survey*. U.S. Consumer Product Safety Commission. September 1990.

U.S. Consumer Product Safety Commission. *All-Terrain Vehicle Exposure, Injury, Death and Risk Studies*. April 1998.

Appendix C

Changes in Tables

In this report we made several changes to various tables. While most of the quantitative changes affected only tables 3 and 5, minor quantitative changes were also made in other tables. The methodology used is explained in detail in Appendix B. This appendix highlights the differences in the tables from previous reports.

Changes in Table 3

Table 3A below gives a comparison of the risk of death per 10,000 four-wheel ATVs in use as reported in column five of Table 3 in this report and the same column from last year's report (dated May 15, 2002).

Table 3A
Annual Risk of Death for Four-Wheel ATVs
As of December 31, 2002 and
As of December 31, 2001

Year	Risk of Death per 10,000 4-Wheel ATVs in Use		Difference
	As Reported in Last Year's Report (Column 5, Table 3)	As Reported in This Report (Column 5, Table 3)	
2001	Not reported	1.2	N/A
2000	1.5	1.2	-0.3
1999	1.5	1.4	-0.1
1998	0.9	0.8	-0.1
1997	1.0	0.9	-0.1

Source: U.S. Consumer Product Safety Commission, Directorate for Epidemiology, Division of Hazard Analysis.

We recalculated the 1995 to 2000 risk estimates in order to ensure a smooth transition between the 1994 model used in the past and the 2001 model that was developed based on new exposure data. These models provide our estimates of ATVs in use for use in the calculation of the risk estimates (risk of death is the death estimate divided by the number of ATVs in use). The effect of this change was greater for the more recent years than for the years just after 1994. The greatest change in the risk estimates was for the year 2000, for which the risk estimate changed from 1.5 to 1.2. If deaths had remained constant, there would have been an even larger decrease in the risk estimates for recent years.

Although the results did not change, we recalculated the rates from 1987 to 1994 using the same number of decimal places in the calculations as we used in the post-1994 figures.

Changes in Table 4

Table 4A below gives a comparison of the annual estimates of ATV-related injuries (for ATVs with three, four or an unknown number of wheels) from Table 4 of this report and the estimates reported in last year's report (dated May 15, 2002). Shown are estimates for all ages, corresponding to column two of Table 4 in both reports; and estimates for children under 16, corresponding to column three of Table 4 in both reports.

Table 4A
Annual Estimates of ATV-related Hospital Emergency Room Treated Injuries
ATVs with 3, 4 or Unknown Number of Wheels
As Reported in 2001 and 2002 Annual Reports

Year	All Ages		Ages Under 16 Yrs	
	As Reported in Last Year's Report (Column 2, Table 4)	As Reported in This Report (Column 2, Table 4)	As Reported in Last Year's Report (Column 3, Table 4)	As Reported in This Report (Column 3, Table 4)
2001	111,700	110,100	34,800	34,300
2000	95,500	92,200	33,100	32,000
1999	85,100	82,000	28,700	27,700
1998	70,200	67,800	26,000	25,100
1997	54,700	52,800	21,300	20,600

Source: U.S. Consumer Product Safety Commission, Directorate for Epidemiology, Division of Hazard Analysis, National Electronic Injury Surveillance System.

It has been standard practice over the years that when new exposure and injury studies on ATVs are completed, a new adjustment factor is calculated. The adjustment factor is used to correct for the possibility that some of the NEISS cases used to calculate each annual estimate could be determined to be out of scope if each incident underwent investigation through telephone follow-ups.

Often the exposure and injury studies are not complete by the time an injury estimate is published in the annual report. Such was the case for the original 2001 injury estimate, which was first published in last year's report. Once the 2001 exposure and injury studies were complete last year, we developed a new adjustment factor (0.922) for NEISS ATV estimates. This factor is applied to annual injury estimates from 2001 forward.²⁰

The injury estimates for 1997 through 2000 have changed because we revised the adjustment factor for the years 1997 to 2000 (that is, the adjustment factor that was based on the 1997 injury and exposure studies) in order to ensure that it was calculated using the same in-scope criteria as the other adjustment factors. The revised adjustment factor is 0.903, amended from 0.935. The adjustment

²⁰ Levenson, M., ATV Injury Adjustment Factors for 1997 and 2001, memorandum. September 12, 2003. U.S. Consumer Product Safety Commission.

factors that have been applied to the years 1986-1988, 1990-1996 and 2001-2002 used slightly different criteria than the factor that had been applied to 1997-2000, so this recalculation brought the 1997-2000 factor in line with the others and results in greater comparability among the annual estimates. The effect of this change was small. For further details on adjustment factors, see Appendix B.

Changes in Table 5

Table 5A below gives a comparison of the annual estimates of four-wheel ATV-related injuries from Table 5 of this report and the estimates reported in last year's report (dated May 15, 2002). These estimates come from column two of Table 5 in both reports.

**Table 5A
Estimated Number of Injuries
Associated with Four-Wheel ATVs
As Reported in 2001 and 2002 Annual Reports**

Year	Injury Estimate	
	As Reported in Last Year's Report (Column 2, Table 5)	As Reported in This Report (Column 2, Table 5)
2001	99,600	98,200
2000	85,200	82,300
1999	71,400	68,900
1998	59,200	57,100
1997	41,100	39,700

Source: U.S. Consumer Product Safety Commission, Directorate for Epidemiology, Division of Hazard Analysis, National Electronic Injury Surveillance System.

The changes in this table result from application of the newly calculated injury adjustment factor from the 2001 ATV Exposure and Injury Studies (for the year 2001), and the refined 1997 adjustment factor for the years 1997-2000, as noted above in Table 4A.

Table 5B below gives a comparison of the annual estimates of the risk of injury for four-wheel ATVs from Table 5 of this report and the estimates reported in last year's report (dated May 15, 2002). These estimates come from column three of Table 5 in both reports.

Table 5B
Risk of Injury
Associated with Four-Wheel ATVs
As Reported in 2001 and 2002 Annual Reports

Year	Risk Estimate Per 10,000 4-Wheel ATVs in Use		Difference
	As Reported in Last Year's Report (Column 2, Table 5)	As Reported in This Report (Column 2, Table 5)	
2001	261.8	200.9	-60.9
2000	257.4	197.2	-60.2
1999	245.4	193.0	-52.4
1998	226.4	184.7	-41.7
1997	171.2	146.1	-25.1
1996	181.5	168.1	-13.4
1995	172.0	165.7	-6.3
1994	165.7	165.4	-0.3
1993	164.7	164.9	0.2
1992	175.2	175.1	-0.1

Source: U.S. Consumer Product Safety Commission, Directorate for Epidemiology, Division of Hazard Analysis, National Electronic Injury Surveillance System, and the Directorate for Economic Analysis.

As mentioned above, for 2001, we developed a new model for the number of ATVs in use based on 2001 exposure data. Since risk is defined as the injury estimate divided by the number of ATVs in use, the 2001 injury risk estimate changed as a result of the new model. The effect was a decrease of 60.9 injuries per 10,000 ATVs in use, though a small part of this change was also due to the new NEISS adjustment factor (0.922) for 2001.

As with the deaths, we recalculated the 1995 to 2000 injury risk estimates in order to ensure a smooth transition between the 1994 model and the 2001 model. The effect of this change was greater on the more recent years than on the years just after 1994. For example, the greatest change in the risk of injury was for 2001, which exhibited a decrease of 60.9 injuries per 10,000 ATVs. The smallest change was for 1995, which showed a decrease of 6.3 injuries per 10,000 ATVs. A small part of these changes was due to the revised NEISS adjustment factor (0.903, amended from 0.935) for 1997-2000.

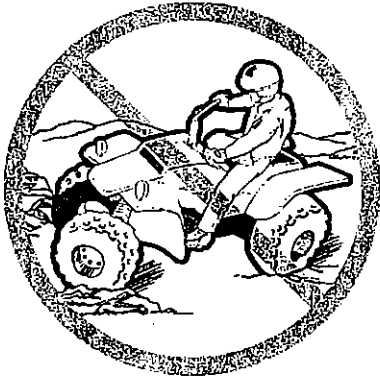
Although the effect was quite small, we recalculated the injury risk estimates from 1987 to 1994 using the same number of decimal places in the calculations as we used in the post-1994 figures. The greatest change occurred in the 1994 risk estimate, which decreased by 0.3 injuries per 10,000 ATVs. Some years in this time period did not show any change.

All-Terrain Vehicle Safety

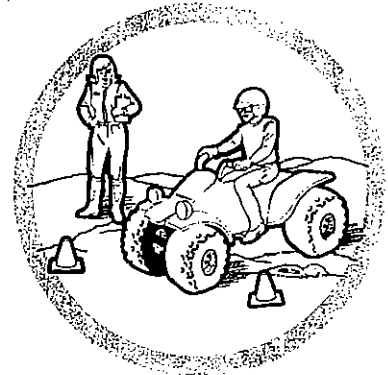
U.S. Consumer Product Safety Commission
Washington, DC 20207
800-638-2772
www.cpsc.gov

The U.S. Consumer Product Safety Commission (CPSC) estimates that ATV-related injuries in the U.S. have doubled in a recent 5-year period and deaths also continue to climb. ATV injuries requiring an emergency room visit increased by over 100 percent from an estimated 52,800 in 1997 to 110,100 in 2001. In 2001, about a third of these victims were under 16 years old. In this same period the estimated number of ATV drivers increased 36 percent, driving hours grew 50 percent and the number of ATVs increased 40 percent. Commission staffers estimate that there were 634 deaths associated with ATVs in 2001. This is up from 291 deaths in 1997.

The major ATV manufacturers agreed in Consent Decrees in 1988 and in subsequent voluntary action plans that they would not manufacture three-wheel ATVs; they would place engine size restrictions on ATVs sold for use by children under 16; and they would offer driver-training programs.



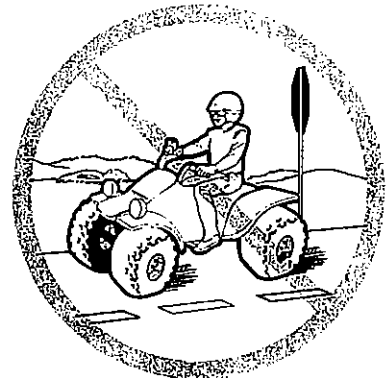
Children and young people under the age of 16 should not ride adult ATVs (with engines bigger than 90 cubic centimeters).



Take a hands-on safety training course.

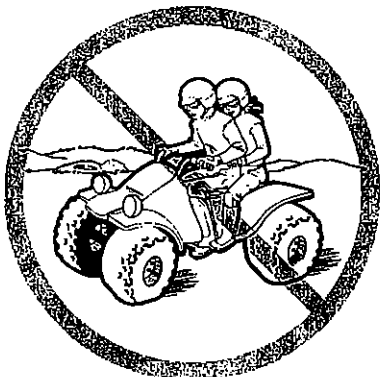


Always wear a helmet while on an ATV.



Never drive an ATV on paved roads.

Never drive while under the influence of drugs or alcohol.



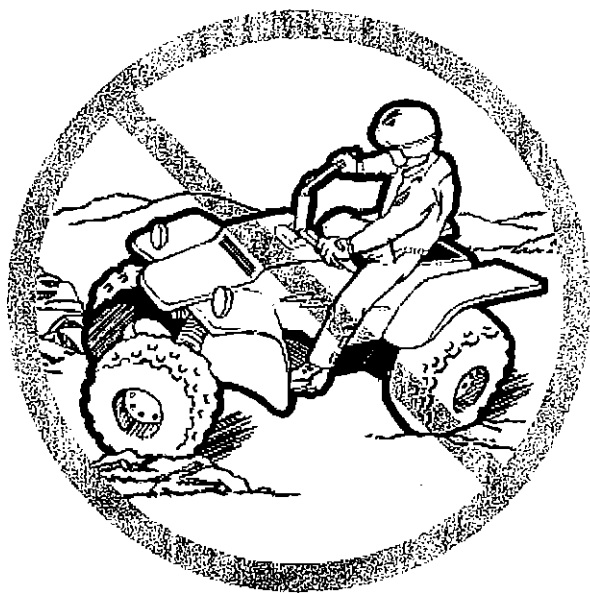
Never drive an ATV with a passenger, and never ride as a passenger.

All-Terrain Vehicle Safety

**U.S. Consumer Product Safety Commission
Washington, DC 20207
800-638-2772
www.cpsc.gov**

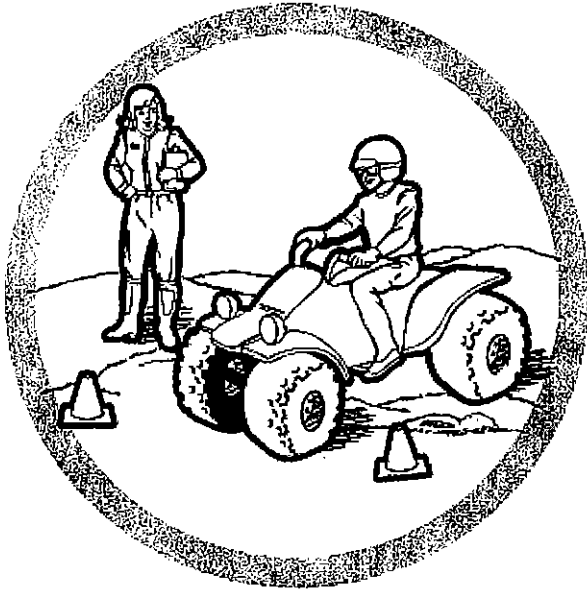
The U.S. Consumer Product Safety Commission (CPSC) estimates that ATV-related injuries in the U.S. have doubled in a recent 5-year period and deaths also continue to climb. ATV injuries requiring an emergency room visit increased by over 100 percent from an estimated 52,800 in 1997 to 110,100 in 2001. In 2001, about a third of these victims were under 16 years old. In this same period the estimated number of ATV drivers increased 36 percent, driving hours grew 50 percent and the number of ATVs increased 40 percent. Commission staffers estimate that there were 634 deaths associated with ATVs in 2001. This is up from 291 deaths in 1997.

The major ATV manufacturers agreed in Consent Decrees in 1988 and in subsequent voluntary action plans that they would not manufacture three-wheel ATVs; they would place engine size restrictions on ATVs sold for use by children under 16; and they would offer driver-training programs.



Children and young people under the age of 16 should not ride adult ATVs (with engines bigger than 90 cubic centimeters).

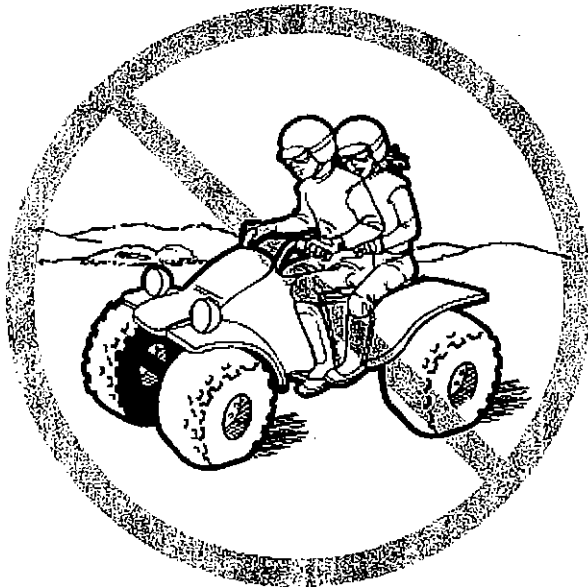
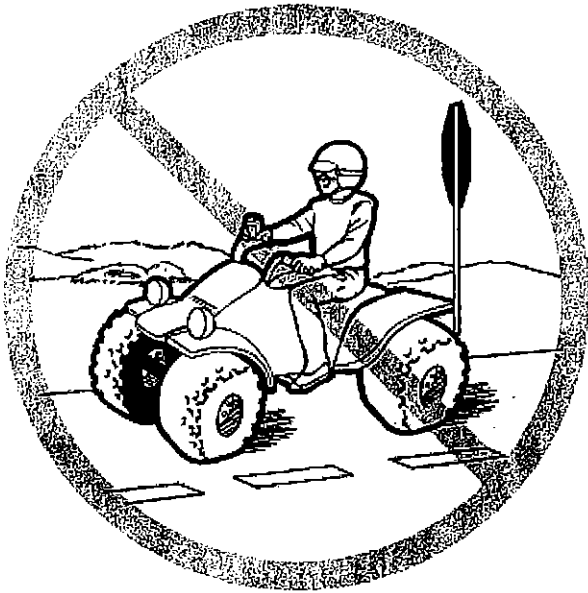
Take a hands-on safety training course.



Always wear a helmet while on an ATV.

Never drive an ATV on paved roads.

Never drive while under the influence of drugs or alcohol.



Never drive an ATV with a passenger, and never ride as a passenger.

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The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC's work to ensure the safety of consumer

products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at www.cpsc.gov/talk.html. Consumers can obtain this release and recall information at CPSC's Web site at www.cpsc.gov.

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CHAPTER 255*

SNOWMOBILES AND ALL-TERRAIN VEHICLES

*See Secs. 23-26a to 23-26g, inclusive, re powers of environmental protection commissioner with regard to operation of all-terrain vehicles on state land.

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Sec. 14-379. Definitions. As used in sections 14-379 to 14-390, inclusive, subsections (3) and (4) of section 12-430 and sections 12-431, 14-33, 14-163 and 53-205, unless the context otherwise requires: "Commissioner" means the Commissioner of Motor Vehicles; "snowmobile" means any self-propelled vehicle designed for travel on snow or ice, except vehicles propelled by sail; "snowmobile dealer" means a person engaged in the business of manufacturing and selling new snowmobiles or selling new or used snowmobiles, or both, having an established place of business for the sale, trade and display of such snowmobiles. "All-terrain vehicle" means a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the Commissioner of Motor Vehicles to be unsuitable for operation on the public highways which is not eligible for registration under chapter 246; "all-terrain vehicle dealer" means any person engaged in the business of manufacturing and selling new all-terrain vehicles, or both, having an established place of business for the manufacture, sale, trade and display of such all-terrain vehicles; "operate" means to control the course of or otherwise use a snowmobile or all-terrain vehicle.

(1969, P.A. 752, S. 1; 1971, P.A. 848, S. 3.)

History: 1971 act redefined "operate" to include all-terrain vehicles and defined "all-terrain vehicle" and "all-terrain vehicle dealer".

All-terrain vehicle qualifies for uninsured motorist coverage under the policy definition. 45 CS 144.

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Sec. 14-380. Operation prohibited without valid registration. Exceptions. On or after October 1, 1971, no person shall operate and no owner shall permit the operation of any snowmobile or all-terrain vehicle unless the owner holds a valid, effective registration awarded by this state or by another state or by the United States, provided such state or district of registration grants substantially similar privileges

for snowmobiles or all-terrain vehicles owned by residents of this state and registered under its laws, and unless the identification number set forth in such registration is displayed on such snowmobile or all-terrain vehicle as prescribed in section 14-381, provided every resident of this state shall obtain such registration from this state under the provisions of section 14-381, before such operation shall be lawful. The provisions of this section shall not apply (1) to the operation of a snowmobile or all-terrain vehicle on premises owned or leased by the owner of such snowmobile or all-terrain vehicle or (2) to the operation of a snowmobile in any organized contest as long as such snowmobile is operated in the contest area, provided the owner of such snowmobile holds a valid, effective registration awarded by this state or by another state or the United States.

(1969, P.A. 752, S. 2; 1971, P.A. 848, S. 4; 857, S. 1; P.A. 76-202, S. 1, 2; P.A. 80-102.)

History: 1971 acts changed date when registration required from October 1, 1969, to October 1, 1971, included all-terrain vehicles in provisions and specified how registration number to be displayed; P.A. 76-202 exempted snowmobiles operated in organized contests from provisions under certain conditions; P.A. 80-102 replaced display specifications with requirement that number be displayed "as prescribed in section 14-381".

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Sec. 14-381. Requirements for registration. Application. Registration plates. Any owner required to register a snowmobile or all-terrain vehicle shall apply to the commissioner and shall file evidence of ownership by affidavit or document. Upon receipt of an application in proper form and the registration fee, the commissioner shall assign an identification number and provide the owner with a certificate of registration and registration plate. The registration plate, which shall be affixed by the owner, shall be displayed on the snowmobile or all-terrain vehicle at a place and in a manner prescribed by the commissioner. In addition to such registration plate, each snowmobile and all-terrain vehicle so registered shall display its registration number on each side of its front section, midway between the top and bottom of said front section, in letters or numbers at least three inches in height and made of a reflective material. The certificate of registration shall be carried on such snowmobile or all-terrain vehicle and shall be available for inspection whenever such snowmobile or all-terrain vehicle is being operated. The owner shall pay a fee of twelve dollars, and on and after July 1, 1992, fourteen dollars for each snowmobile or all-terrain vehicle so registered. Each such certificate of registration shall expire biennially on the last day of March.

(1969, P.A. 752, S. 3; 1971, P.A. 848, S. 5; 857, S. 2; P.A. 73-153; P.A. 75-213, S. 13, 53; P.A. 84-254, S. 54, 62; P.A. 85-525, S. 5, 6; P.A. 87-329, S. 19; P.A. 90-230, S. 83, 101.)

History: 1971 acts made provisions applicable to all-terrain vehicles and added specifications for display of registration number; P.A. 73-153 reduced height required for letters in display provision from five to three inches; P.A. 75-213 increased registration fee from three to four dollars; P.A. 84-254 periodically increased the fee from \$4 to \$8 as of July 1, 1992; P.A. 85-525 required biennial, rather than annual, registration of snowmobiles and all-terrain vehicles and doubled fee schedule accordingly; P.A. 87-329 maintained the fee at the level existing on and after July 1, 1986, and decreased the fee effective July 1, 1992, to the level formerly existing on and after July 1, 1988; P.A. 90-230 substituted "required to register" for "desiring to register".

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Sec. 14-382. Change of address. Transfer of ownership. (a) Within forty-eight hours after changing his address, the owner of a snowmobile or all-terrain vehicle registered by this state shall file with the commissioner notice in writing of such change. The owner's certificate of registration may be altered or the commissioner may issue a new certificate to indicate the new address.

(b) The owner of a snowmobile or all-terrain vehicle registered by this state shall notify the commissioner in writing within twenty-four hours of the transfer of all or any part of his interest in,

other than the creation of a security interest, or of the destruction or abandonment of, such snowmobile or all-terrain vehicle and surrender with such notice his certificate of registration and registration plate. Any such transfer, destruction or abandonment shall terminate such certificate.

(c) Any person who transfers to another ownership of a snowmobile or all-terrain vehicle registered in this state, upon surrendering the outstanding certificate of registration and registration plate and upon application to the commissioner, may have another snowmobile or all-terrain vehicle registered in his name for the remainder of the registration period. The fee for such transfer which shall accompany the application shall be three dollars, and on and after July 1, 1992, three dollars and fifty cents.

(1969, P.A. 752, S. 4; 1971, P.A. 848, S. 6; P.A. 84-254, S. 55, 62; P.A. 87-329, S. 20.)

History: 1971 act made provisions applicable to owners of all-terrain vehicles; P.A. 84-254 amended Subsec. (b) to clarify that applications are made to the commissioner and to periodically increase the transfer fee from \$2 to \$4 as of July 1, 1992; P.A. 87-329 maintained the fee at the level existing on and after July 1, 1986, and decreased the fee effective July 1, 1992, to the level formerly existing on and after July 1, 1988.

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Sec. 14-383. Registration of snowmobile or all-terrain vehicle dealers. Each snowmobile dealer or all-terrain vehicle dealer, as defined by section 14-379, shall register with the commissioner who shall assign a distinguishing number and issue three registration plates bearing the number assigned to such dealer. The fee for such registration shall be fifteen dollars, and on and after July 1, 1992, eighteen dollars. A registration plate shall be attached to each snowmobile or all-terrain vehicle, which may be used only for the purposes of demonstration or sale.

(1969, P.A. 752, S. 5; 1971, P.A. 848, S. 7; P.A. 84-254, S. 56, 62; P.A. 87-329, S. 21.)

History: 1971 act made provisions applicable to all-terrain vehicles and vehicle dealers; P.A. 84-254 periodically increased the fee from \$10 to \$20 as of July 1, 1992; P.A. 87-329 maintained the fee at the level existing on and after July 1, 1986, and decreased the fee effective July 1, 1992, to the level formerly existing on and after July 1, 1988.

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Sec. 14-384. Temporary registration plates. The commissioner shall provide registered snowmobile dealers and registered all-terrain vehicle dealers with temporary registration plates for a fee of one dollar each. When a snowmobile or all-terrain vehicle is sold at retail the snowmobile dealer or all-terrain vehicle dealer may attach a temporary registration plate to such snowmobile or all-terrain vehicle bearing the date of sale, which shall be valid for ten days from such date, and displayed on such snowmobile or all-terrain vehicle as prescribed by the commissioner.

(1969, P.A. 752, S. 6; 1971, P.A. 848, S. 8.)

History: 1971 act made provisions applicable to all-terrain vehicles and vehicle dealers.

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Sec. 14-385. Renting or leasing of snowmobiles or all-terrain vehicles. Records required. Any person who is in the business, in whole or in part, of renting or leasing snowmobiles or all-terrain vehicles shall keep a record of the name and address of every person who rents or leases a snowmobile or all-terrain vehicle, the identification number thereof, the departure date and time and the expected time of return. The record shall be preserved for at least one year. Neither the owner nor any agent or employee of such business shall permit any snowmobile or all-terrain vehicle to depart from the premises of such business unless it is provided, either by the owner or lessee, with such safety devices and equipment as may be required by law.

(1969, P.A. 752, S. 7; 1971, P.A. 848, S. 9.)

History: 1971 act made provisions applicable to all-terrain vehicles.

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Sec. 14-386. Enforcement. Failure to stop snowmobile or all-terrain vehicle upon request. (a) Any law enforcement officer of the Department of Environmental Protection, motor vehicle inspector, state police officer, uniformed municipal police officer, constable, state park policeman, state forest policeman or forest ranger may enforce the provisions of sections 14-379 to 14-390, inclusive. (b) No person operating a snowmobile or all-terrain vehicle shall refuse to stop his snowmobile or all-terrain vehicle after being requested or signalled to do so by an authorized law enforcement officer, or the owner or the agent of the owner of the property upon which such snowmobile or all-terrain vehicle is being operated. Any person operating a snowmobile or all-terrain vehicle who refuses to stop his snowmobile or all-terrain vehicle upon such request or such signal by an authorized law enforcement officer shall have committed an infraction.

(1969, P.A. 752, S. 8; 1971, P.A. 848, S. 10; 857, S. 3; P.A. 76-381, S. 15.)

History: 1971 acts gave constables, state park policemen and state forest policemen or forest rangers enforcement powers under Subsec. (a) and amended Subsec. (b) to include all-terrain vehicles in provisions and to require operator of vehicle to stop upon signal of property owner or his agent; P.A. 76-381 replaced provision for fifty dollar maximum fine with statement that failure to stop is an infraction. See chapter 881b re infractions of the law.

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Sec. 14-386a. Speed. Operating under the influence. Endangering person or property. No person shall operate a snowmobile or all-terrain vehicle in the following manner: (1) At an unreasonable or imprudent rate of speed for existing conditions; (2) in a negligent manner so as to endanger any person or property; (3) while under the influence of intoxicating liquor or any drug, as defined by section 14-227a. Any person who violates any provision of this section, or any regulation relating hereto shall be fined not more than two hundred and fifty dollars for each offense. In addition thereto, the operator or owner, or both, of a snowmobile or all-terrain vehicle, shall be responsible and held accountable to the owner of any land where trees, shrubs, crops, fences or other property have been damaged as a result of travel of such snowmobiles or all-terrain vehicles over such land, or where consequential damage has resulted from such travel. Proof of the registration number of the snowmobile or all-terrain vehicle shall be prima facie evidence in any prosecution or action for damages that the owner was the operator. (P.A. 76-381, S. 17.)

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Sec. 14-387. Rules of operation. Violations. No person shall operate a snowmobile or all-terrain vehicle in the following manner: (1) On any public highway, except such snowmobile or all-terrain vehicle, if operated by a licensed motor vehicle operator, may cross a public highway if the crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a location where no obstruction prevents a quick and safe crossing, the snowmobile or all-terrain vehicle is completely stopped before entering the traveled portion of the highway and the driver yields the right-of-way to motor vehicles using the highway, provided nothing in this subsection shall be construed to permit the operation of a snowmobile or all-terrain vehicle on a limited access highway, as defined in subsection (a) of section 13a-1; (2) in such a manner that the exhaust of the snowmobile or all-terrain vehicle makes an excessive or unusual noise; (3) without a functioning muffler, subject to the provisions of section 14-80, properly operating brakes, sufficient and adequate front and rear lighting and reflecting devices, except an all-terrain vehicle with an engine size of ninety cubic centimeters or less shall not be required to be equipped with front and rear lighting and shall not be operated after dark; (4) in any manner which

would cause harassment of any game or domestic animal; (5) on any fenced agricultural land or posted land without the written permission of the owner, or the agent of the owner, or in the case of state-owned land, without the written permission of the state agency or institution under whose control such land is, or in the case of land under the jurisdiction of a local municipality without the written permission of such municipality; and (6) on any railroad right-of-way. Nothing in sections 14-379 to 14-390, inclusive, shall preclude the operation of a snowmobile or all-terrain vehicle (A) on the frozen surface of any public body of water, provided any municipality may by ordinance regulate the hours of operation of snowmobiles and all-terrain vehicles on public waters within such municipality and provided the operation of a snowmobile or all-terrain vehicle shall be subject to the provisions of section 25-43c; or (B) on any abandoned or disused railroad right-of-way or in any place or upon any land specifically designated for the operation of snowmobiles and all-terrain vehicles by statute, regulation or local ordinance. Any person who violates any provision of this section shall have committed a separate infraction for each such violation.

(1969, P.A. 752, S. 9; 1971, P.A. 848, S. 11; 857, S. 4; 1972, P.A. 294, S. 15; P.A. 76-381, S. 16; P.A. 84-429, S. 69; P.A. 86-249, S. 8; P.A. 93-405, S. 2.)

History: 1971 acts made provisions applicable to all-terrain vehicles, included domestic animals in Subdiv. (7), added Subdivs. (8) and (9) re operation on agricultural or posted land or on railroad rights-of-way, specifically stated right to operate vehicle on abandoned rights-of-way or on land specifically designated for the purpose and allowed regulation of hours of operation on public waters by ordinance; 1972 act included all-terrain vehicles in provision re operation on public waters; P.A. 76-381 deleted Subdivs. (2) to (4) banning operation at unreasonable rate of speed, in negligent manner or under influence of intoxicating liquor or drugs, renumbering remaining Subdivs. accordingly, replaced numeric designators in exemption with alphabetic ones and added provision that violator deemed to have committed an infraction; P.A. 84-429 made technical change for statutory consistency; P.A. 86-249 amended Subdiv. (A) of Subsec. (6) by adding provision making the operation of snowmobiles or all-terrain vehicles on frozen surfaces of public waters subject to Sec. 25-43c; P.A. 93-405 amended Subdiv. (3) to provide that an all-terrain vehicle with an engine size of ninety cubic centimeters or less shall not be required to have front and rear lighting and shall not be operated after dark.

See Sec. 23-26g re infractions committed through violations of Environmental Protection Commissioner's regulations re operation of all-terrain vehicles on state land.

See chapter 881b re infractions of the law.

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Sec. 14-388. Penalties. Liability. Except as otherwise provided, any person who violates any of sections 14-379 to 14-390, inclusive, or any regulation relating thereto shall have committed an infraction for each such offense. In addition thereto the operator or owner, or both, of a snowmobile or all-terrain vehicle, shall be responsible and held accountable to the owner of any land where trees, shrubs, crops, fences or other property have been damaged as a result of travel of such snowmobiles or all-terrain vehicles over such land, or where consequential damage has resulted from such travel. Proof of the registration number of the snowmobile or all-terrain vehicle shall be prima facie evidence in any prosecution or action for damages that the owner was the operator.

(1969, P.A. 752, S. 10; 1971, P.A. 848, S. 12; 857, S. 5; P.A. 76-381, S. 18.)

History: 1971 acts included all-terrain vehicles in provisions, included in responsibilities liability for damage to crops and fences and added reference to action for damages and consequential damage; P.A. 76-381 replaced provision for two hundred fifty dollar maximum fine with statement that violation is an infraction unless otherwise provided.

See Sec. 23-26g re penalties for violation of Environmental Protection Commissioner's regulations re operation of all-terrain vehicles on state land.

See chapter 881b re infractions of the law.

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Sec. 14-389. Administration by Commissioner of Motor Vehicles. Reciprocal agreements. In the performance of his duties under sections 14-379 to 14-390, inclusive, the commissioner shall (1) prescribe uniform standards for such safety devices and equipment as he deems necessary and certify the types of devices and equipment which meet such standards and (2) promulgate such regulations respecting the registration, operation, sale and leasing of snowmobiles and all-terrain vehicles as he finds necessary for public safety. The commissioner may enter into reciprocal agreements with the commissioner of motor vehicles or other like authority of any other state for the purposes of carrying out the provisions of said sections.

(1969, P.A. 752, S. 12; 1971, P.A. 848, S. 13.)

History: 1971 act made provisions applicable to all-terrain vehicles.

See chapter 54 re uniform administrative procedure.

See Secs. 23-26b, 23-26d and 23-26f re Environmental Protection Commissioner's powers to regulate all-terrain vehicles operating on state land.

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Sec. 14-390. Municipal regulation of operation and use. Any municipality may, by ordinance, regulate the operation and use, including hours and zones of use, of snowmobiles and all-terrain vehicles in a manner not inconsistent with the provisions of sections 14-379 to 14-390, inclusive, or any regulations adopted pursuant thereto.

(P.A. 73-318, S. 1, 2.)

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Secs. 14-390a to 14-390e. Reserved for future use.

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Sec. 14-390f. All-terrain vehicles: Effect of U.S. District Court consent decree. (a) As used in this section:

(1) "All-terrain vehicle" means any three or more wheeled motorized vehicle, generally characterized by large, low-pressure tires, a seat designed to be straddled by the operator and handlebars for steering, which is intended for off-road use by an individual rider on various types of nonpaved terrain. Such vehicles do not include trail bikes, golf carts, agricultural tractors, farm implements and construction machines;

(2) "All-terrain vehicle dealer" means any person engaged in the business of selling, leasing or renting all-terrain vehicles at retail, at a regular place of business; and

(3) "All-Terrain Vehicle Consent Decree" means the consent decree approved by the United States District Court for the District of Columbia on April 28, 1988, in settlement of Civil Action No. 87-3525, U.S. v. American Honda, et al.

(b) Each all-terrain vehicle offered for sale, lease or rental by an all-terrain vehicle dealer shall bear the safety warning hang tags pursuant to Paragraph H.3.b.(4) (a) of the All-Terrain Vehicle Consent Decree. Each all-terrain vehicle dealer shall: (1) Deliver a copy of the all-terrain vehicle safety alert to each all-terrain vehicle purchaser pursuant to Paragraph H.3.b. (4)(c) of the All-Terrain Vehicle Consent Decree; (2) prominently display the safety poster, pursuant to Paragraph H.3.b.(4) (d) of the All-Terrain Vehicle Consent Decree; (3) have the safety video readily available for viewing by prospective and actual all-terrain vehicle purchasers pursuant to Paragraph H.3.b (4)(b) of the All-Terrain Vehicle Consent Decree; (4) conform to the guidelines for advertising and promotional materials attached as Appendix K to the All-Terrain Vehicle Consent Decree; (5) represent affirmatively, including in print and electronic

media for advertising or promoting all-terrain vehicles and in point-of-purchase oral communications, that all-terrain vehicles with engine sizes of more than ninety cubic centimeters shall be used only by persons sixteen years of age or older; (6) comply with point-of-purchase communication requirements of the All-Terrain Vehicle Consent Decree; (7) orally inform the prospective or actual all-terrain vehicle purchaser of the free training courses offered by the manufacturers pursuant to Paragraph K of the final All-Terrain Vehicle Consent Decree and of the financial incentives for taking the course. Oral communications of all-terrain vehicle dealers shall not contain information inconsistent with any safety-related requirements of this section.

(c) Any person who violates any provision of subsection (b) of this section shall have committed an infraction.

(P.A. 91-399.)

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Sec. 23-26a. "All-terrain vehicle" defined. As used in sections 23-26b to 23-26g, inclusive, "all-terrain vehicle" means a motorized vehicle, not suitable for operation on a highway that (1) is not more than fifty inches in width, (2) has a dry weight of not more than six hundred pounds, (3) travels on three or more low pressure tires and (4) has a seat or saddle designed to be straddled by the operator.
(P.A. 86-249, S. 1.)

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Sec. 23-26b. Certificate to operate all-terrain vehicles on state land. (a) No person shall operate an all-terrain vehicle on state land without first obtaining a certificate from the Commissioner of Environmental Protection and unless such vehicle is registered pursuant to section 14-380. No certificate to operate an all-terrain vehicle on state land shall be issued to any person under eighteen years of age unless such person has completed a safety education course for all-terrain vehicles given pursuant to section 23-26d.

(b) The commissioner may require that any person operating an all-terrain vehicle on state land (1) furnish proof of liability and property damage insurance on the vehicle, and (2) agree to indemnify and hold harmless the state of Connecticut against any and all suits, claims, demands or judgments, including claims presented under the provisions of chapter 53, that may be allowed against the state for injury to any person as a result of the operation of an all-terrain vehicle on state land.

(P.A. 86-249, S. 2.)

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Sec. 23-26c. Availability of state land for use by persons operating all-terrain vehicles. The Commissioner of Environmental Protection shall evaluate the properties under his jurisdiction and the jurisdiction of other state agencies for their use by persons operating all-terrain vehicles and shall make available some of such properties for such use. In making such properties available the commissioner shall consider minimizing the impact of all-terrain vehicles on the environment. Before making any property available that is under the jurisdiction of another state agency, the commissioner shall consult with such agency.

(P.A. 86-249, S. 3.)

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Sec. 23-26d. Regulations re safety education courses for the operation of all-terrain vehicles. The Commissioner of Environmental Protection, in consultation with the Commissioner of Consumer Protection, shall, by regulations adopted in accordance with the provisions of chapter 54, formulate safety education courses for the operation of all-terrain vehicles. The Commissioner of Environmental Protection may designate as his agent for giving a course any person or organization he deems qualified to act in such capacity.

(P.A. 86-249, S. 4, 9.)

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Sec. 23-26e. Operation of all-terrain vehicles on state land by certain minors. No person less than twelve years of age shall operate an all-terrain vehicle on state land. A person between twelve and sixteen years of age may operate an all-terrain vehicle on state land provided such person has obtained a certificate pursuant to section 23-26b and is supervised by a person eighteen years of age or older who has completed a safety education course given pursuant to section 23-26d.

(P.A. 86-249, S. 5.)

[\(Return to TOC\)](#) [\(Return to Chapters\)](#) [\(Return to Titles\)](#)

Sec. 23-26f. Regulations re operation of all-terrain vehicles. The Commissioner of Environmental Protection shall adopt regulations in accordance with the provisions of chapter 54 (1) establishing standards and procedures for certification of operators of all-terrain vehicles and the use of all-terrain vehicles on state land, (2) setting a fee sufficient to cover the cost of implementing the certification program required pursuant to section 23-26b and (3) establishing safety requirements for the operation of all-terrain vehicles on state land which shall include provisions for noise levels. Any regulations concerning safety shall be adopted in consultation with the Commissioner of Consumer Protection. (P.A. 86-249, S. 6, 9.)

See chapter 255 (Secs. 14-379 et seq.) re snowmobiles and all-terrain vehicles generally.

[\(Return to TOC\)](#) [\(Return to Chapters\)](#) [\(Return to Titles\)](#)

Sec. 23-26g. Penalties. (a) Any person who violates section 23-26b or 23-26e or any regulations adopted pursuant to section 23-26f shall have committed an infraction. For a second and each subsequent violation of any of said laws or regulations the Commissioner of Environmental Protection may suspend any certificate issued pursuant to section 23-26b and the right to obtain any such permit for not more than two years.

(b) Any person who (1) knowingly permits a person less than eighteen years of age who has not obtained a certificate pursuant to section 23-26b to operate an all-terrain vehicle on state land, (2) permits a person less than twelve years of age to operate an all-terrain vehicle on state land or (3) allows a person between twelve and sixteen years of age to operate an all-terrain vehicle on state land without being supervised by a person more than eighteen years of age, shall have committed an infraction. (P.A. 86-249, S. 7.)

See Secs. 14-387 and 14-388 re violations of rules of operation of snowmobiles and all-terrain vehicles and resulting penalties, generally.

Berlin Code of Ordinances

Article II: Parks and Open Space

Sec. 38-74. Motor vehicles and bicycles.

(a) Motor vehicles of every kind, including, but not limited to, automobiles, trucks, motorcycles, bicycles and scooters, may be driven or parked in parks and open space land, only in areas designated and posted for such purposes, except that town vehicles in service to the town shall have access to other areas.

(b) No commercial or industrial vehicle above the capacity of two tons may be operated or parked in any park or open space land, except in service to the town, unless exception to this regulation is granted by the town manager.

(c) No motor vehicle as defined in subsection (a) of this section may be operated within any park or open space land at speeds in excess of 15 miles per hour or in any manner that endangers park occupants.

(d) Off-road motorized vehicles including but not limited to go-carts, minibikes, all-terrain vehicles (ATVs), trail bikes and snowmobiles are prohibited from all parks and open space lands.

(e) The riding of bicycles or skateboards, or the use of roller skates or inline skates, is prohibited on baseball diamonds, tennis and basketball courts, pool areas and picnic areas except those areas designated.

(Ord. No. 07-01, § 3, 7-10-2001)

Cross references: Traffic and vehicles, ch. 54.

cial, nor shall any person otherwise park any vehicle so as to block any roadway or driveway. (Code 1962, § 904; Ord. No. 39, 7-27-65)

Sec. 13-37. Excessive vehicular noise.

No person in a park shall operate a vehicle which causes excessive noise due to a defective or deficient muffler, tail pipe or other equipment. (Code 1962, § 904; Ord. No. 39, 7-27-65)

Sec. 13-38. Operation of bicycles.

No person in a park shall ride a bicycle on areas which the town manager may designate as being restricted from such travel. Bicyclists shall at all times operate their machines with reasonable regard to the safety of others and shall observe the accepted rules of the road for motorized vehicles. (Code 1962, § 904; Ord. No. 39, 7-27-65)

Cross reference—Bicycles generally, Ch. 5.

Sec. 13-39. Snowmobiles and other motorized recreation vehicles.

(a) No person shall operate a snowmobile or any other motorized recreation vehicle upon any park or other land owned or leased by the town without a permit to be issued by the town manager or his duly authorized agent.

(b) The town manager or his duly authorized agent upon approval of the town council is hereby authorized to determine which parks or other lands owned or leased by the town shall be used for snowmobiling or other motorized recreation and shall promulgate rules and regulations for the use of snowmobiles and other motorized recreational vehicles. Said rules and regulations shall provide for the time and manner of the operation of snowmobiles and other motorized recreation vehicles for the purpose of protecting the public land and persons using the public land. A copy of said rules and regulations shall be posted in the office of the town clerk and shall be given to all permittees upon issuance of the permit required in subsection (a) hereof.

(c) Permits shall be issued annually.

(d) In the event a person is issued a permit and violates the provisions of this section, the town manager may revoke the permit. (Code 1962, § 904; Ord. No. 39, 7-27-65)

Sec. 13-40.

No person shall use any waters or other resources of the town in violation of the provisions of this section. (Code 1962, § 904; Ord. No. 39, 7-27-65)

Sec. 13-41.

No person shall use any waters or other resources of the town in violation of the provisions of this section. (Code 1962, § 904; Ord. No. 39, 7-27-65)

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and other motorized recreation vehicles. A copy of said rules and
regulations shall be in the office of the town clerk and
shall be issued upon issuance of the permit
thereof.

Permits issued pursuant to this section shall be issued
annually.

In addition to the penalties provided in section 13-21,
permits issued pursuant to this section may be revoked for
violation of the rules and regulations promulgated hereunder.
(Code 1962, § 909; Ord. No. 63, 2-22-72)

State law reference—Regulation of snowmobiles, Gen. Stats. § 14-379

Sec. 13-40. Bathing and swimming.

No person in a park shall swim, bathe or wade in any
waters or waterways in or adjacent to any park, except in
designated waters and at such places as are provided therefor, and
in compliance with such rules and regulations as are herein
set forth or may be established by the director, nor shall any
person frequent any waters or places designated for the pur-
pose of swimming or bathing or congregate thereat, except
between such hours of the day as shall be designated by the
director for such purposes for each individual area. No person
shall appear in public view so uncovered as to indecently
expose his person. All bathing costumes shall conform to com-
monly accepted standards of the community. No person shall
undress or address in or at any beach, poolside, toilet, motor
vehicle or other place, except in such structures as may be
provided for that purpose. (Code 1962, § 905; Ord. No. 39,
7-27-65)

Sec. 13-41. Boating.

No person in a park shall bring in or operate any boat, raft
or other craft, whether motor powered or not, upon any
waters, except at places designated for boating by the town
manager. Such activity shall be in accordance with applicable
regulations which may be established by the town manager.
No person shall navigate, direct or handle any boat in such a
manner as to annoy, frighten or endanger the occupants of
any other boat, or any other users of a park. No person shall
operate any boat of any kind on any waters between the
closing hour of the park at night and the opening hour the

Bristol Code

Sec. 21-179. Motor vehicles restricted.

Motor vehicles, including any motor-operated vehicle such as minibikes, motorcycles, trucks, snowmobiles, etc., will not be allowed on open space land owned by the city and under the jurisdiction of the conservation commission, except that automobiles may enter areas where allowed by posting but must park only in designated areas. All others will be removed by the police department at the owner's expense.

(Code 1960, § 43-2; Ord. of 4-4-72)

Cross references: Motor vehicles and traffic, Ch. 14.

Danbury Code of Ordinances

Chapter 12 OFFENSES AND MISCELLANEOUS PROVISIONS

Sec. 12-6. All-terrain vehicles; operation prohibited on city property.

(a) Generally. The purpose of this section is to prohibit the operation of all-terrain vehicles on property owned by the City of Danbury, thereby preventing damage to flora and fauna and to hiking trails, stone walls, and other physical features of the city's parks and public places, promoting the safe use of these areas, and insuring that these areas are protected for the benefit of all users of the city's parks and public places.

(b) Definitions. As used in this section, the following terms shall have the meanings described herein, unless the context clearly indicates that a different meaning is intended.

(1) "All-terrain vehicle" shall mean a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the Commissioner of Motor Vehicles to be unsuitable for operation on the public highways, which is not eligible for registration under chapter 246 of the Connecticut General Statutes.

(2) "Operate" means to ride, control the course of or otherwise use an all-terrain vehicle.

(c) Prohibited acts. No person shall operate and no owner shall permit the operation of any all-terrain vehicle upon property owned, leased or controlled by the City of Danbury except within areas designated by the city for all-terrain vehicle use. No person operating an all-terrain vehicle on property owned, leased or controlled by the City of Danbury shall refuse to stop his all-terrain vehicle after being requested or signaled to do so by an authorized law enforcement officer or by an authorized agent of the City of Danbury .

(d) Posting. Notice of the prohibition established by this section shall be given by posting signs at various locations on city owned property warning all-terrain vehicle users that the use of such vehicles on city property is prohibited. Failure to post such signs or failure to post such signs at specific locations shall not be a defense to any prosecution or claim brought based on a violation of this section.

(e) Exemptions. The provisions of subsection (c) hereof shall not apply to authorized law enforcement officers or authorized agents of the City of Danbury who operate all-terrain vehicles while in the performance of their official duties.

(f) Penalties; liability. The provisions hereof may be enforced in the same manner as and in conjunction with the provisions of sections 14-379 to 14-390 of the Connecticut General Statutes. In addition, the operator or owner, or both, of an all-terrain vehicle, shall be responsible and held accountable to the City of Danbury for damage to trees, shrubs, crops, fences or other property caused by operation of such all-terrain vehicle on land of the City of Danbury or where consequential damage has resulted from such operation. In any prosecution or action for damages hereunder, proof of the registration number of the all-terrain vehicle shall be prima facie evidence that the owner was the operator.

(Ord. No. 597, 4-1-03)

Secs. 12-7--12-11. Reserved.

Editor's note: Former §§ 12-5--12-12, contained various miscellaneous provisions derived from Code 1925; §§ 124, 131, 134, 137, 138, 145, 147, 166, 167 and §§ 1, 2 of a June 10, 1933 ordinance, were repealed by Ord. No. 428, adopted Nov. 7, 1991.

Manchester

*X General -
Parks & Rec*

Chapter 12

OFFENSES—MISCELLANEOUS*

- Art. I. In General, §§ 12-1—12-18
- Art. II. Firearms, §§ 12-19—12-23
- Art. III. Alarm Systems, §§ 12-24—12-32
- Art. IV. Noise, §§ 12-33—12-40

ARTICLE I. IN GENERAL

Sec. 12-1. Disorderly conduct.

It shall be unlawful for any person in the town to be found in, near, around or about any place of public accommodation or any public property, conducting himself in such a way as to be unduly boisterous, using lewd or profane language, obstructing access to said premises, or otherwise creating a nuisance to the neighborhood. (Code 1965, § 30-4(a); Ord. of 5-6-66)

Sec. 12-2. Interfering with, abusing police officers.

No person in the town shall molest, disobey, interfere with, or use lewd, profane or abusive language to any police officer while he is engaged in the performance of his duties of keeping places of public accommodation and public property free of obstruction and convenient for public use. (Code 1965, § 30-4(b); Ord. of 5-6-66)

Sec. 12-3. Abandoned iceboxes and airtight containers.

(a) *Purpose.* It is found and declared that abandoned, unattended or discarded iceboxes, refrigerators and other airtight containers are a constant menace to the health, welfare and safety of children in the town.

(b) *Prohibiting abandonment.* It shall be unlawful to leave or permit to remain outside of any dwelling, building or

*Cross references—General penalty for Code violations, § 1-8; acts of nuisance concerning streets and sidewalks, §§ 15-6, 15-8, 15-12; acts of nuisance relative to water supply, § 18-5.

other structure or within any unoccupied or abandoned buildings, dwelling or other structure under his or its control, in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator or other container which has an airtight door or lid, snaplock or other locking device which may not be released from the inside, without first removing said door or lid, snaplock or other locking device from said icebox, refrigerator or container.

(c) *Penalty.* Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding five hundred dollars (\$500.00) or be imprisoned in the county jail for a period not exceeding one year or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder. (Code 1965, §§ 172-1—172-3)

State law reference—Similar provisions, Gen. Stats. § 53-215.

Sec. 12-4. Operating motor vehicles on town property.

It shall be unlawful for any person, when willfully trespassing upon lands belonging to the town, to operate any wheeled motor vehicle over any area of said lands not specifically designed to accommodate motor vehicle traffic. The term "motor vehicle" as used in this section means "motor vehicle" as defined by Section 14-1(26) of the General Statutes and includes a "motorcycle" as defined by Section 14-1(25) of the General Statutes. (Code 1965, § 179-A-2; Ord. of 8-4-70)

Sec. 12-5. Motorboats on Union Pond.

(a) *Prohibited.* No person shall use or operate any boat, canoe, raft or other watercraft which is propelled in whole or in part by an internal combustion engine upon the waters of Union Pond in the town, except as otherwise hereinafter provided.

Meriden Code

§ 150-1. Rules for use of facilities.

A. Rules for parks, recreational facilities and municipally owned property are the following:

(1) Use of facilities at own risk. The City of Meriden and the Parks and Recreation Department, and their employees or volunteers assume no responsibility for lost or stolen property, personal injuries or property damage. All persons using facilities of the City of Meriden shall do so at their own risk.

(2) Disturbing or injuring animals and fowl; limitations on fishing. No person shall disturb or injure any bird, bird's nest or eggs or any other animal in said municipality, or disturb or injure any animal wildlife within said city, or fish in its waters except waters designated for such purpose.

(a) Fishing at Mirror Lake is limited to individuals aged fifteen (15) and under and adults if accompanied by a fishing minor as long as the adult has the proper license.
(Added 9-16-85; amended 5-5-86; 6-19-00)

(b) Fishing at Giuffrida Park (Crescent Lake) [is] by special license only, purchased from the Parks and Recreation Department.

(3) Designation of areas for special events; permit required. The Director of the Parks and Recreation Department may designate areas for special events and schedule their use through the issuance of permits that must be obtained in advance. Anyone violating this rule will be subject to arrest or suspension of park and recreational privileges.

(4) Solicitation and admission charges by users of facilities; permit required. No person, group or organization shall expose or offer for sale any article or thing in parks and recreational facilities or charge admission in any park or recreational facility or portion thereof without written permission of the Director of Parks and Recreation. If granted, the Director of Parks and Recreation will determine the amount to be assessed the group, person or organization for the use of the grounds and/or facilities.

(5) Ballplaying limited to designated areas; permit required for tents, shelters or signs. Ballplaying or golfing practice [is] allowed only in designated areas at all parks. No tents, shelters or signs of any nature are allowed to be erected on any city property or recreational facility without the written permission of the Director of Parks and Recreation.

(6) Opening and closing hours; exceptions. All parks and watershed areas will open at sunrise. All parks and watershed areas will be considered closed one-half (1/2) hour after sundown, with the exception of designated camping areas in the parks or where activities authorized by the Parks and Recreation Department are being held, such as (but not limited to) tennis, softball, baseball and special events. The Department of Parks and Recreation may close or restrict hours of any park or facility without notice.

(7) Enforcement.

(a) The City of Meriden Police Department shall enforce all regulations with assistance of city personnel and private security when applicable.

(b) Any person violating any provision of this chapter shall be subject to a fine, in addition to other remedies, of fifty dollars (\$50.00) to ninety dollars (\$90.00) for each violation. [Amended 9-16-96]

(8) Parking. Parking shall be limited to designated areas only. Parking off paved or graveled areas is not permitted except by expressed written consent of the Director of Parks and Recreation.

(9) Injury to public property; monetary liability. No person shall move, remove, cut, write upon, deface or otherwise injure any structure, building, fence, fountain, seat or picnic table, shrub, tree or flower within any municipally owned property. Any person violating this rule will be held monetarily responsible.

(10) Animals in parks. All dogs in the parks shall be on a leash, and owners will be responsible for "curbing their dog" (animal) in actively maintained areas. No horses or any animal/pet shall be allowed in any park during a special event sponsored by the City of Meriden without the expressed written permission of the Director of Parks and Recreation.

All dogs or other animals must be curbed in all parks and public areas. Owners will be subject to arrest.

(11) Intoxicating beverages. Absolutely no intoxicating beverages will be allowed in any park or recreational facility, except with the written permission of the Director of Parks and Recreation.

(12) Games of chance. It shall be unlawful for any person to play any games of chance or have any instrument of gambling in any park or recreational facility, except for carnivals and circuses with the written permission of the Director of Parks and Recreation and Chief of Police.

(13) Traffic patterns; speed limit; prohibition of commercial vehicles and buses. The Director of Parks and Recreation will have the authority to regulate traffic patterns and flow to include road closings on all park property. The speed limit in all parks shall not exceed fifteen (15) miles per hour. Absolutely no commercial vehicles or buses will be allowed on any park property without the written permission of the Director of Parks and Recreation.

(14) Motorized vehicles, such as (but not limited to) motorcycles, ATV, 4-wheel-drive vehicles, dirt bikes, etc. prohibited; exception. No motorized vehicles will be permitted on municipally owned property off paved areas except for official City of Meriden personnel or when authorized in writing by the Director of Parks and Recreation.

(15) Washing or polishing vehicle: No washing or polishing of any vehicle is permitted in any park or watershed area.

(16) No person shall hunt, trap, or pursue wildlife at any time; and no person shall use, carry, or possess firearms, air rifles, spring guns, bow and arrows, slings, or any kind of trapping device, or any other weapons potentially inimical to wildlife and dangerous to human safety.

(17) Fires. Fires are allowed only in provided fireplaces or portable grills in designated camping or picnic areas.

(18) Boating. Boating is restricted to use of canoes and sunfish-type sailboats and shall be by permit only, except upon Hanover Pond and Beaver Lake. There shall be no boating of any type on Mirror Lake except with the written permission of the Director of Parks and Recreation.

(19) Overnight camping. No overnight camping is allowed except by written permission of the Parks and Recreation Department.

(20) Fishing permits [are] required of persons sixteen (16) or over.

(21) Limitation on use of certain parks. Hubbard Park, on weekends and holidays, is limited to Meriden residents only.

(22) Hang gliding. The ascension and landing of hang gliders in the City of Meriden is hereby prohibited. (Added 12-15-86)

(23) Dirigibles; balloons. The ascension and landing of lighter-than-air dirigibles and balloons in the City of Meriden is hereby prohibited unless a permit has been issued by the Director of Parks and Recreation. (Added 2-15-86)

(24) There will be no dumping of domestic garbage in city parks. Violators will be arrested. A carry-in-carry-out policy will be enforced.

(25) Other specific rules governing each park shall be enforced where officially posted.

(26) No person shall dig, remove, or cut any sand, soil, rock, stones, trees, shrubs, turf, grass, plants, or down timber or other wood or materials or make any excavation by tools, equipment or other means (including metal detectors) without the expressed written permission of the Director of Parks and Recreation.

(27) All rock climbing is prohibited in any park area except with the written consent of the Director of Parks and Recreation and appropriate insurance waiver.

(28) Any and all fines and fees due to the arrest for violations of these rules and regulations, or other park regulations shall be deposited into City of Meriden, Parks and Recreation Capital and Non-Recurring Account held by a financial institution to repair/replace park damage and vandalism.

(29) A violation of any of the above rules or regulations, in addition to the penalty provided in said rule or regulation, or in the connecticut General Statutes, can result in a fine of up to one hundred dollars (\$100.00) for each offense as well as payment to rectify any damage sustained to any park property.

[Amended 9-15-80; 6-1-92]

Newington Code of Ordinances

VEHICLES

ARTICLE III. RECREATIONAL MOTOR VEHICLES

Sec. 18-51. Definitions.

As used in this article, the term "recreational motor vehicle" shall mean a motor vehicle of the type designed for off-the-road use for recreation, entertainment or pleasure and which is not authorized by the State of Connecticut to be operated on public streets and highways, including but not limited to minibikes, trailbikes, dune buggies, snowmobiles and swamp buggies.

(Ord. of 9-25-80)

Sec. 18-52. Operation restrictions.

It shall be unlawful for any person to operate or permit and suffer to be operated a recreational motor vehicle as defined in section 18-51 within the Town of Newington under any of the following circumstances:

(a) On private property of another without the express prior written consent of the owner and the occupant of said property. Such consent may be revoked at any time by the grantor thereof. Where such express prior written consent has been obtained, the operator or person at the site responsible for such operation shall keep said consent on his person and available for immediate display at all times during the period of such operation.

Excepted from the operation of this subsection are any private clubs or other organizations that permit the operation of recreational motor vehicles on their property in connection with the principal use of said property by the members of any such club or organization.

(b) On any public grounds or property, including town-owned land, which shall include but not be limited to parks, ball parks, recreation areas, town-owned streets, easements and sidewalks, or areas dedicated to or commonly used for vehicular or pedestrian traffic, town storage facilities, garage areas and board of education grounds, unless specifically designated, set aside and reserved therefor by resolution of the town council and in conformance with policies regarding the use of such vehicles adopted by the board of education or the board of parks and recreation.

(Ord. of 9-25-80)

Secs. 18-53--18-61. Reserved.

CODE OF THE TOWN OF STRATFORD, CONNECTICUT
PART II GENERAL PROVISIONS
Chapter 48, ALL-TERRAIN VEHICLES

Chapter 48, ALL-TERRAIN VEHICLES

[HISTORY: Adopted by the Town Council of the Town of Stratford 5-11-1988. Amendments noted where applicable.]

GENERAL REFERENCES

Vehicles and traffic – See Ch. 203.

Removal of vehicles – See Ch. 205.

§ 48-1. Prohibition. [Amended 9-9-2002 by Ord. No. 02-07]

Three-wheel and four-wheel all-terrain motor vehicles are banned from the streets, sidewalks, and other public lands including public beaches, dunes, and other sensitive habitat areas, except as necessary to provide for the health or safety of persons, wildlife or property by persons operating such vehicles in an official capacity within the Town of Stratford. Signs shall be posted accordingly.

§ 48-2. Violations and penalties.

Any person who operates a three-wheel or four-wheel all-terrain motor vehicle on any street, sidewalk or other public land within the Town of Stratford shall be guilty of a misdemeanor and shall pay a fine of \$100.